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U.S. Continental Congress

J O U R N A L S

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C O N G R E S S:

C O N T A I N I N G T H E I R

P R O C E E D I N G S

FROM JANUARY 1, 1780, TO JANUARY 1, 1781.

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*PUBLISHED BY AUTHORITY.*

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V O L U M E VI.

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FROM FOLWELL'S PRESS.

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PHILADELPHIA.

1800.



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*“RESOLVED*

BY the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Senate and the Clerk of the House of Representatives, be authorized and directed, to subscribe, on such terms as they may deem eligible, for the use of the Senate and House of Representatives, for four hundred Copies of the Journals of Congress, which are proposed to be published by RICHARD FOLWELL, and such number of copies of different volumes of the sets now in print, as may be necessary to complete the same.

JONATHAN DAYTON, *Speaker of the House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2d, 1799:

JOHN ADAMS, *President of the United States.”*



JOURNALS  
OF  
CONGRESS.

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SATURDAY, January 1, 1780.

THE delegates for Massachusetts-Bay produced credentials of their appointment, which were read.

*Resolved*, That 30 dollars a day be allowed to Robert Jewell, keeper of the new gaol in Philadelphia; 20 dollars a day to each of his assistants; and 10 dollars a day to his turnkey; in full of their services and subsistence, until the further orders of Congress.

*Resolved*, That the commissary-general of purchases be allowed a salary at the rate of 40,000 dollars by the year, until the further order of Congress; also six rations a day, and forage for four horses:

*Resolved*, That an assistant-commissary be appointed by the commissary-general to each of the states in which it shall be necessary that purchases be made under him, and in which provision shall not have been made by the states respectively for furnishing the necessary supplies.

That the said assistant-commissaries be allowed on all good merchantable articles which may be purchased by them, or under their direction respectively, two per cent. on 20 fold the prices they were sold at in the year 1774, until the further order of Congress; out of which they shall pay all their agents and defray the whole expense attending such purchases: nor shall they, nor any of their agents, be entitled to rations or forage, except when called by the necessary business of their department to attend the army.

And in order the better to ascertain such prices,

*Resolved*, That the executive power of every state be requested to return to the board of treasury a list of the commodities usually sold within such state, and the price current in the year 1774; and that copies of such lists be furnished from thence to the commissary-general and his assistants:

That the commissary-general be directed to keep regular accounts, in which he shall charge all persons belonging to his department with the money advanced to them, and give them credit for the purchases made by them, entering their respective accounts at large; that he check all accounts within his department, and reject improper charges; direct the manner in which the accounts of his respective deputies shall be kept, ordering the articles purchased to be entered under distinct heads, so that the expenditures for each separate article may be seen at one view; that he shall once in every three months, or oftener if required, exhibit a fair and comprehensive view of the state of his purchases, in columns, the manner in which the same has been expended,

## JOURNALS OF CONGRESS.

and the stock on hand, with the price of each article, and the state, county, and district in which purchased :

That every assistant-commissary make monthly returns to the commissary-general of the articles purchased, the price, the name of the agent by whom the same were bought, and the persons to whom delivered ; or, if still on hand, at what place stored :

That no money be advanced to any assistant-commissary until he has made such returns and accounted for money received, rendering to the commissary-general receipts from his agents for the money advanced to them :

That every assistant-commissary call upon his agents for monthly returns of their expenditures ; without which returns no further sums be advanced to them ; but that they be sued to account for the money in their hands :

That the commissary-general of issues be, and he is hereby directed to make monthly returns of the number of rations issued ; to what persons, and at what place ; to the board of war, in order to take their direction as to the continuing such issues.

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*MONDAY, January 3, 1780.*

*Resolved*, That the sum of 96 dollars be allowed to Andrew Harper, for his services from August the 1st to December the 11th, 1779 ; he being during that period employed in extra duty by general Hogan, while commanding in Philadelphia.

*Resolved*, That the board of treasury publish the determination of Congress with respect to the drawing of bills of exchange, agreeable to the resolution of the 27th of December last ; the terms upon which they are to be sold, and the time on which they will be ready for sale, together with the names of the persons appointed to dispose of the same.

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*WEDNESDAY, January 5, 1780.*

*Resolved*, That a member be added to the committee on appeals, in the room of Mr. Paca, who is absent.

The member chosen, Mr. Elsworth.

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*FRIDAY, January 7, 1780.*

*Resolved*, That the commissary-general of purchases be empowered to appoint an assistant ; whose duty it shall be to remain at head-quarters, and receive the directions of the commander in chief and the commissary-general.

That the said assistant be allowed a salary, at the rate of 10,000 dollars per annum, two rations a day and forage for one horse, until the further order of Congress.

That the coopers, butchers, packers, drovers and superintendants of cattle, be under the regulations and directions formerly established by resolutions of Congress :

That a letter be written to the governor of Connecticut, representing the apprehensions of Congress on account of the small supply of beef, and requesting the immediate aid of the legislature of that state to the commissary-general or his assistants, in procuring and forwarding the

same; the expense of which Congress will find means to defray, or credit to the state, in part of their quota of supplies.

A representation from the supreme executive council of the state of Pennsylvania, respecting the barracks near the city of Philadelphia, and the barrack-master's department, was laid before Congress:

*Ordered*, That it be referred to the board of war, and that they be directed to discharge immediately the supernumerary officers in the barrack-master's department, and take further order thereon.

*Resolved*, That when expresses are wanted for forwarding dispatches from Congress, or any of their committees, application be made to the board of war; who are to provide the same:

*Ordered*, That the committee of commerce dispose of the sugar and coffee in their possession in this city, in such manner as they shall deem most for the public interest.

*Resolved*, That, until the further order of Congress, the surveyors of the post-office be allowed their reasonable expences in travelling the roads; an account of such expences to be rendered every three months to the post-master-general, upon oath; and that a late resolution of Congress, giving 40 dollars a day, be repealed.

—  
SATURDAY, January 8, 1780.

*Resolved*, That the resignation of lieutenant Joseph Hite, of the 8th Virginia regiment, be accepted.

*Resolved*, That every officer in the army of the United States, whose duty requires his being on horseback in time of action, be allowed a sum, not exceeding the average price given at the time in the department or place where the accident shall happen, for horses purchased for private dragoons, as a compensation for any horse he shall have killed in battle: this resolution to have retrospect as far as the 1st of January, 1779; and the quarter-master-general, or his deputy, is hereby authorized to pay the value of such horses, not exceeding the said price, to the respective sufferers, on the facts being properly authenticated.

*Resolved*, That the four Georgia regiments be reformed, and no more officers retained in the service than are necessary for two regiments.

That the commanding officer of the southern army establish some equitable rule for the arrangement of the said officers; and such as are left out of the arrangement be deemed supernumerary, agreeably to the rules adopted by the main army, and entitled to the benefits allowed by the resolution of the 24th of November, 1778:

That such of the officers as are retained in service shall be employed, until the regiment can be recruited, in such way as the said commanding officer shall deem most conducive to the public interest:

That the Georgia officers of the gallies and of the light dragoons, who are on continental establishment, be considered as supernumeraries.

*Resolved*, That the marines of the navy of the United States, whilst doing garrison duty, be allowed the same subsistence monies as are allowed to the officers and soldiers of the line of the army by the resolution of Congress of the 18th of August, 1799.

*MONDAY, January 10, 1780.*

*Resolved*, That major-general Charles Lee be informed, that Congress have no further occasion for his services in the army of the United States.

*WEDNESDAY, January 12, 1780.*

*Resolved*, That such of the Virginia troops as, by a resolve of the 15th of December last, were required to return and join the main army, be marched by their officers to the state of Virginia, and there discharged: a change of circumstances rendering their junction with that army unnecessary; except such number of those whose times of enlistment will latest expire as shall be deemed necessary to be employed as guards by the board of war.

*Resolved*, That the board of war be directed to order twelve dragoon horses to be delivered to colonel Armand, for the use of his corps; the said horses to be taken from those already purchased for the public use, and not otherwise necessarily employed.

*Resolved*, That Mr. Galvin receive the commission of major in the army of the United States, and be employed in the inspectorship, as the commander in chief shall direct.

The committee to whom was referred the letter of the 5th instant from general Washington, inclosing a letter of the 3d from Royal Flint, assistant-commissary, and one of the 4th from brigadier-general Irwine, brought in a report; whereupon

*Ordered*, That a copy of the said letters, as far as they respect the distress of the army from the want of provisions, be sent, with all possible dispatch, to the legislatures, or, in their receipt, to the supreme executive councils of the states of Connecticut, New-York, Pennsylvania, and Delaware; and that they be respectively urged, in the most pressing manner, to send immediate supplies of provisions to the army.

*Resolved*, That the mustering department be discontinued, and the officers thereof discharged.

And whereas the commissary-general of musters has approved himself a good and faithful officer, and those who have been employed under him have given satisfaction in their offices:

*Resolved*, That the said commissary general of musters, and those officers who have continued in that department under him for eighteen months last past, shall be entitled to receive a sum equal to their pay respectively for the term of twelve months from this day.

*Resolved*, That in future the business of mustering the troops be performed by the inspectors of the army, in such manner and under such regulations as the commander in chief shall direct; who is hereby authorized to make the arrangements, reporting the same to Congress.

*THURSDAY, January 13, 1780.*

A letter of the 4th, from general Washington, was read, accompanied with sundry papers relative to a proposed exchange of prisoners of war; whereupon

*Resolved*, That all the powers granted to general Washington, by the resolution of the 5th of March, 1779, respecting the exchange of prisoners, be, and they are hereby renewed and confirmed.

*Ordered*, That the papers accompanying the general's letter of the 4th be returned to him.

*Resolved*, That it be recommended to the executive authorities of the several states, to transmit with all possible expedition to general Washington, the names and rank of all officers; and the number of privates belonging to the enemy, held as prisoners of war within their respective states, and the places they are at, in order that they may be included in the general exchange, should a cartel be agreed to, between the commanders in chief of the American and British armies.

Many inconveniences attending the present management of prisoners of war, and great dissatisfaction having arisen from the mode of exchanging them heretofore used, from the partialities inevitably attending the same, while conducted under various directions by divers commissaries independent of each other; and sufficient provision not being made for their security, in many cases frequently occurring:

*Resolved*, That all prisoners of war, whether captivated by the army or navy of the United States or by the subjects, troops, or ships of any particular state, shall be delivered into the care and custody of the commissary-general of prisoners, his deputies or assistants, and be deemed and treated, in all respects, as prisoners of war to the United States:

That it be earnestly recommended to the governments of the respective states, that they make no exchanges of prisoners; to the intent, that all exchanges may be made through the commissary-general of prisoners, by direction of Congress or the commander in chief, or board of admiralty; and when prisoners are taken by the particular subjects, troops or vessels of any state, not in the services of the United States, or by private ships or vessels of war, fitted out in any particular state, these shall be first exchanged, so far as is necessary, for the subjects or inhabitants of the same state, taken by the subjects, adherents, ships or vessels of the enemy; and the overplus, if any, shall go towards redeeming the prisoners in the hands of the enemy; without regard to their being subjects or inhabitants of any particular state:

That all masters or commanders of private ships or vessels of war, shall take the utmost care to bring into port all prisoners captivated by them. And if from necessity they shall be obliged to dismiss any prisoners at sea, they shall, on return from their cruise, make report thereof, on oath, to the judge of the admiralty of the state to which they belong, or in which they arrive, within 20 days after their arrival, with their reasons for such dismissal. And if the judge shall not be satisfied with the reasons assigned, or if it shall appear that the prisoners were discharged to avoid the trouble or expense of bringing them into port, and delivering them into custody, or in any wise unnecessarily, then the judge shall transmit an account thereof to the executive of the state, who are requested to examine into the matter, and vacate the commission granted to the said delinquent master or commander of the ship or vessel, if they are of opinion that such dismissal was improper:

That all prisoners of war captivated by private ships or vessels of war, be delivered by and at the expense of the masters or owners of such ships or vessels, to a commissary of prisoners nearest the place of

their landing, or into the nearest county gaol, on pain of forfeiture of the commission granted to such private ship or vessel :

That on such delivery of the prisoners into the gaol, the gaoler shall be obliged to inform the government of the state wherein the said prisoners are landed ; or, in case of their residence at too great a distance, the Lieutenant or commanding officer of the militia of the county wherein such prisoners are landed, the commissary-general of prisoners or his deputy ; that if the said prisoners are not deemed by the executive of the state, or the said commanding officer of the militia, to be in a place of sufficient security, they may be removed under proper guards to a place or places of greater safety at the expense of the United States. And the executive powers of the respective states are requested to give the necessary orders to the commanding officers of militia on this subject, and to pay the expenses of escorting and transporting the prisoners ; charging the same to the United States. The said executives are also requested to give orders to the officers of their militia, to take immediate charge of all prisoners of war captivated by the ships and vessels of war, belonging to the United States or to any particular state, and to convey them, at the expense of the United States, to the nearest commissary of prisoners, or to the country gaol ; and also direct the like steps to be taken in regard to their removal to places of greater safety, as is provided in the case of prisoners captured by private vessels :

That it be recommended to the legislatures of the respective states, effectually to provide, at the expense of the United States, for the delivery and safe keeping of all prisoners captivated by their respective subjects, out of vessels stranded or cast on shore on their coasts, obliging the parties taking prisoners, to deliver them to the nearest commissary of prisoners or into the nearest gaol, in case no commissary of prisoners is stationed within convenient distance of the place of capture ; and in case of neglect or misconduct in the persons so taking the prisoners, that they forfeit all right to the vessel, her tackle, apparel and furniture so cast on shore, or the property they may save, or be otherwise entitled to out of such vessel ; or imposing such other penalty as the said legislatures shall respectively think proper.

That it be recommended to the said legislatures to provide and direct, that all jailers receive and deliver prisoners of war, without charging any fee or reward to the persons delivering them into or taking them by proper authority out of their custody. The reasonable expenses of supporting such prisoners in gaol, to be paid by the government of the state wherein they shall be confined, and charged to the United States ; except where they can and shall be otherwise provided for by the proper officer in the service of the United States. And the jailer shall transmit a copy of his charges against the United States, for account of prisoners of war, to the commissary general of prisoners, or his nearest deputy, when any prisoners leave the gaol, either for removal to places of greater security, or for exchange :

That prisoners of war, either on their march, or in confinement, be furnished with only two-thirds of a soldier's ration :

That none but sick or wounded prisoners be allowed carriages at public expense :

That all prisoners on parole pay their own expenses; and such expenses shall be paid before they shall be exchanged:

That all officers, prisoners of war to the United States, unless in hospitals, pay their physicians, surgeons and attendants:

That the commissary-general of prisoners and his deputies, make regular monthly returns, to the board of war, of the numbers, situation and exchanges of all prisoners under their charge; and that they also give the said board such occasional information, of all material transactions in their department, as circumstances from time to time render necessary, or when they shall be required by the board so to do, under pain of being suspended or dismissed by the said board:

That all exchanges of prisoners made in consequence of the foregoing resolutions, shall be soldier for soldier and sailor for sailor.

Whereas brigadier-general du Portail and colonel Laumoy, and lieutenant-colonel de Gouvion, have continued in the service of the United States pursuant to a resolution of Congress of the first of January, 1779, and under a permission from the minister plenipotentiary of his most Christian majesty, and have obtained from the commander in chief ample testimonials of honourable and useful services rendered during the last campaign:

*Resolved*, That brigadier-general du Portail and messieurs Laumoy and Gouvion be retained in the service of the United States (if permission can be obtained for that purpose from his most Christian majesty or his minister plenipotentiary) so long, during the present war, as shall be consistent with their inclinations and duty as officers to their king:

That the board be directed to confer with the minister of France on the subject, and inform general du Portail and messieurs Laumoy and Gouvion of the result of such conference.

*Resolved*, That the commander in chief be authorised to order so many expresses to be retained in the public service as he may judge necessary for the immediate purposes of the army.

*Resolved*, That the board of treasury be directed to report proper salaries for such officers of the United States as have acted without stipulated allowances; and also what denominations of officers are entitled, by resolutions of Congress, to receive commissions, and at what rate, on the sums which they have respectively negotiated.

Whereas by the eleventh article of the treaty of amity and commerce between his most Christian majesty and the United States of America, it is provided, that, "the subjects and inhabitants of the said United States, or any one of them, shall not be reputed aubains in France, and consequently shall be exempted from the Droit d'Aubaine, or other similar duty, under what name soever: they may by testament, donation or otherwise, dispose of their goods, moveable and immovable, in favour of such persons as to them shall seem good; and their heirs, subjects of the said United States, residing, whether in France or elsewhere, may succeed them, ab intestat, without being obliged to obtain letters of naturalization, and without having the effect of this concession contested or impeded under pretext of any rights or prerogatives of provinces, cities or private persons: and the said heirs, whether such by particular title or ab intestat, shall be exempt from all duty, called

Droit de Detraction, or other duty of the same kind ; saving, nevertheless, the local rights or duties, as much and as long as similar ones are not established by the United States or any of them : The subjects of the most Christian king shall enjoy, on their part, in all the dominions of the said states, an entire and perfect reciprocity relative to the stipulations contained in the present article ; but it is agreed, at the same time, that its contents shall not affect the laws made or that may be made hereafter in France, against emigrations, which shall remain in all their force and vigour ; and the United States, on their part, or any of them, shall be at liberty to enact such laws relative to that matter as to them shall seem proper.

*Resolved*, That it be recommended to the legislatures of the several United States to make provision, where not already made, for conferring like privileges and immunities on the subjects of his most Christian majesty, agreeable to the form and spirit of the above recited article.

—————  
*SATURDAY, January 15, 1780.*

*Resolved*, That Mr. Ludiman be appointed to the rank of lieutenant in colonel Armand's corps ; his commission to bear date from the first day of June, 1779 ; the date of his brevet :

That Mr. Buffault, who on the 13th of January, 1779, was appointed to the brevet rank of lieutenant in the army of the United States, receive a commission of lieutenant in colonel Armand's corps, to bear the date of his brevet :

That Christian Bryman be appointed to the rank of cornet in colonel Armand's corps.

*Resolved*, That a court be established for the trial of all appeals from the courts of admiralty in these United States, in cases of capture, to consist of three judges, appointed and commissioned by Congress, either two of whom, in the absence of the other, to hold the said court for the dispatch of business :

That the said court appoint their own register :

That the trials therein be according to the usage of nations and not by jury :

That the said judges hold their first session as soon as may be at Philadelphia ; and afterwards at such times and places as they shall judge most conducive to the public good, so that they do not at any time sit further eastward than Hartford, in Connecticut, or southward, than Williamsburgh, in Virginia :

That the salary of the said judges be fixed on the first Monday in July next ; and that in the interim the sum of 12,000 dollars be advanced to each of them.

*Resolved*, That Saturday next be assigned for electing the judges of the court of appeals ; and that in the mean while nomination be made.

—————  
*MONDAY, January 17, 1780.*

The board of treasury, to whom was referred an application of Asa Worthington, employed as inspector of cattle in the department of the commissary-general, from the 18th day of November, 1778, to the 15th of January, 1780, brought in a report ; whereupon

*Resolved*, That in addition to his pay, of 4 dollars per day, the said Afa Worthington be allowed the sum of 3940 dollars, in compensation for his services and expenses to this date; and that a warrant issue on the treasurer, in his favour, for that sum.

The board of war, to whom was referred the letter of the 17th of December last, from gen. Washington, relative to monsieur Hyacinthe la Motte, brought in a report; whereupon,

*Resolved*, That the expediency of continuing monsieur la Motte in his present employment, be referred to the honourable council of Massachusetts-Bay; who are requested to adjust and settle the accounts of the said monsieur la Motte, at continental expense; and if they deem his continuance unnecessary, to discharge him from any farther service; and that the council be informed, that the board of war have advanced monsieur la Motte 3000 dollars, on account of his pay.

*Resolved*, That the commissary-general of purchases be allowed two clerks, to be by him appointed:

That each of the said clerks be allowed the same salary as clerks of the board of treasury.

— *TUESDAY, January 18, 1780.* —

The board of treasury, to whom was referred a petition of John Streerer, praying compensation for the loss of a house, accidentally burnt by a picket guard of the American army, in December, 1777, report,

That as Congress have frequently decided the compensation for damages ought not to be partially made, but must be postponed to the end of the war, to be then taken into consideration, the board cannot report in favour of the said petitioner; but think his petition ought to be deferred for the present:

*Resolved*, That Congress agree to the said report.

— *THURSDAY, January 20, 1780.* —

*Resolved*, That three commissioners, one of whom to be a member of Congress, be appointed to enquire into the expenses of the staff departments, and the means of retrenching the same; that they, or any two of them, be authorised to enquire, by inspection or otherwise, concerning the several posts or places where officers of the staff are stationed; and to require of them any information relative to their respective departments; to discharge supernumerary and delinquent officers and men of the said departments; to break up unnecessary posts, and to establish posts where requisite; to stop all issues of rations and other supplies not indispensably necessary for the service; that they repair to head-quarters, and that they, or any two of them, be authorised, in conjunction with gen. Washington, to reduce the number of horses and waggons employed in the army, and to adopt the cheapest and most certain method of transportation; and any other measures for promoting economy in the said departments.

That, for the present, they be empowered to stop all issues of rations of every kind, for three months, due to persons not in camp;

who can be otherwise supplied than from the public stores; and to report the sum to be paid for the rations so stopped.

That they report such arrangements, in any or all of the said departments, as they may judge expedient; having regard to the resolutions of Congress of the 14th and 17th of December last:

That the department of the barrack-master-general be abolished, and that he be called to an immediate account for the money advanced him by the United States.

*Resolved*, That to-morrow be assigned for electing the commissioners.

—————  
*FRIDAY, January 21, 1780.*

According to order, Congress proceeded to the election of commissioners; and the ballots being taken,

Mr. Schuyler and colonel Pickering were elected.

—————  
*SATURDAY, January 22, 1780.*

The board of admiralty having laid before Congress a return of the officers of the navy:

*Ordered*, that the same be referred back to the board, and that they report on the expediency of stopping pay and rations or subsistence to all officers and mechanics of the admiralty not in actual service; preserving to the former their rank in the navy.

Congress proceeded to the election of another commissioner; and the ballots being taken,

Gen. Thomas Mifflin was elected.

Congress proceeded to the election of judges of the court of appeals; and the ballots being taken, the president informed Congress, that

Mr. Wythe, Mr. Paca and Mr. Hosmer were duly elected; Mr. Hosmer and Mr. Paca having an equal number of votes..

—————  
*MONDAY, January 24, 1780.*

A letter from the honourable the minister plenipotentiary of France, was read, informing, that he has appointed monsieur D'Aunmour consul of France for the state of North-Carolina, and enclosing his commission for that purpose.

*Resolved*, That Congress approve the same: that the commission be registered, and notice given to the governor of North-Carolina.

Congress being informed of great abuses in the quarter-master's department, at Martinsburgh, in Virginia;

*Resolved*, That the board of war be empowered to appoint suitable persons to enquire into the said abuses, and to make the proper retrenchments and reformations.

—————  
*TUESDAY, January 25, 1780.*

Mr. A. Clark, a delegate for the state of New-Jersey, attended and produced the credentials of his appointment, which were read.

The board of admiralty, to whom was referred the return of the officers of the navy of the United States, brought in a report; whereupon,

Resolved, That the pay of all officers of the navy, not in actual service, cease from this day :

That such officers retain their rank, depositing their commissions in their respective navy boards until they shall be called into actual service.

THURSDAY, January 27, 1780.

Mr. Vandyke, a delegate from Delaware, attended and produced the credentials of the delegates of that state, which were read.

A letter of this day, from major Eustace, was read, requesting leave to resign :

Resolved, That his resignation be accepted.

Resolved, That the treasurer, the commissioners of the board of war, the commissioners of the chambers of accounts, the commissioners of the navy boards, the secretaries of the board of treasury and of the board of war, the assistant auditor-general, and the clerks of the board of treasury, board of war, chambers of accounts, treasurer, auditor-general, and of the secretary of Congress, be entitled to receive, in lieu of every other allowance, from the 2d day of November, 1778, or from the dates of their appointments, if elected after that time, the same salaries as are allowed them respectively by a resolution of Congress of the 23d of October, and one of the 12th of November, 1779 :

That the pay of John Gibson, Esq. for his services whilst auditor-general, be as follows ; from the 9th of December, 1776, the time of the last adjustment of his account, to the 16th of October, 1778, at the rate of one thousand seven hundred and fifteen dollars per annum ; from the date last mentioned, to the 2d of November, 1778, at the rate of 3430 dollars per annum ; and from thence to the 25th of November, 1779, at the rate of 12,000 dollars per annum :

That the pay of the secretary of Congress be as follows : from the 10th of February, 1778, the date of the last settlement of his account, to the 16th of October following, at the rate of 2000 dollars per annum ; from the time last mentioned to the 2d of November, 1778, 4000 dollars per annum ; and from and after that day until the further order of Congress, at the rate of 14,000 dollars per annum :

That the salary of the secretary of the marine committee be, from the 2d of November, 1778, at the rate of 8000 dollars per annum, until he was appointed secretary to the board of admiralty :

That the pay of the clerks of the commercial committee, the clerk of the navy board of the middle district, and the secretary of ordnance and paymaster to the board of war and ordnance, from the 20th of November, 1778, or from the dates of their appointments, if elected after that time, be at the rate of 8000 dollars per annum respectively, until the further order of Congress :

That William Story, having performed the service of clerk and paymaster to the navy board of the eastern district, be entitled to receive, from the 2d of November, 1778, in lieu of every other allowance, at the rate of 8000 dollars per annum, until the further order of Congress :

That the salary of the treasurer of loans, from the 2d of Novem-

ber, 1778, be the same as that of a commissioner of the chambers of accounts, until the further order of Congress; in full of all services in the said office:

That the accounts of the said officers be forthwith adjusted and closed.

*Resolved*, That all issues of articles in the department of the commissary-general of issues, made in pursuance of a resolution of Congress of the 2d of October, 1777, be discontinued:

That the medical committee, as soon as they shall judge convenient, give directions for removing the hospitals in or near Philadelphia, to some other place, where wood and other necessaries may be procured on more reasonable terms than in the city aforesaid:

That the issuing-commissaries be respectively directed not to deliver rations, or parts of rations, to any hospital-commisary, unless on returns signed by him and countersigned by the principal physician or surgeon of the respective hospitals, specifying the names and stations of the persons for whom, and for what time, the rations are drawn; and that the hospital-commisary be also required to annex to each return the receipts of the persons to whom he shall have delivered the provisions drawn on the last return:

That the commissary-general of issues direct the form of the returns and receipts aforesaid.

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*FRIDAY, January 28, 1780.*

Whereas the drawing of the blanks as well as the prizes in the second class of the United States lottery, has been attended with great and unnecessary expense and delay, and the drawing of the prizes only is equally secure and advantageous to the adventurers; therefore,

*Resolved*, That the board of treasury be authorised to direct the managers of the United States lottery to draw the prizes only, in the third class of the said lottery; and that in case any of the tickets should remain unsold at the commencement of the drawing, to continue the sale in the place where the lottery is drawn, under the direction of the said board.

*Resolved*, That a secretary be not allowed to the navy board in the middle district; but that Mr. J. Pennel be clerk and paymaster to the said board, with his former salary of 8000 dollars per annum.

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*MONDAY, January 31, 1780.*

*Resolved*, That Congress are impressed with a high sense of the attachment and zeal of the magistrates and inhabitants of the state of New-Jersey, in the common cause; and of their ready and effectual exertions in providing and furnishing the army, under his excellency the commander in chief, with provisions, at a time when the difficulty of transportation rendered such exertions absolutely necessary.

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*WEDNESDAY, February 2, 1780.*

A letter, of January 30, from gen. Washington, was read, inclosing a letter from major-general Greene, quartermaster-general, and the proceedings of the general court-martial on the trial of major-general Arnold:

*Ordered*, That Monday next be assigned for considering the proceedings aforesaid.

*Resolved*, That the commission to the judges of the court of appeals be as follows :

The UNITED STATES of AMERICA, in Congress assembled,  
to the honourable greeting :

KNOW YOU, That, reposing special trust and confidence in your learning, prudence, integrity and abilities ; we have assigned, deputed and appointed you one of our judges of our court of appeals, to hear, try and determine all appeals from the courts of admiralty, in the states respectively, in cases of capture, which now are, or hereafter may be, duly entered and made in any of the said states ; and to do, generally, all those things that you are or shall be authorised and empowered by Congress to do and perform, and which shall be necessary for the execution of the said office, according to the law and usage of nations and the acts of Congress. To have, hold, exercise and enjoy all and singular the powers, authorities and jurisdictions aforesaid ; and also the privileges, benefits, emoluments and advantages to the said office belonging, or in anywise appertaining. Witness his excellency SAMUEL HUNTINGTON, Esq. president of Congress, at Philadelphia, the day of in the fourth year of our independence, and in the year of our Lord one thousand seven hundred and eighty.

FRIDAY, February 4, 1780.

Mr. John Collins, a delegate from Rhode-Island, attended and took his seat in Congress.

MONDAY, February 7, 1780.

Mr. Samuel Livermore, a delegate from New-Hampshire, attended and produced the credentials of his appointment, which were read.

In pursuance of a recommendation of brigadier-general Huger, dated April, 1779,

*Resolved*, That the rev. Henry Purcell be appointed chaplain to the brigade commanded by said brigadier-general Huger, and entitled to the emoluments of the said office, from the 7th day of April, 1779.

A letter, of January 2d, from Nathaniel Mumford, was read, signifying his acceptance of the office of commissioner of the chamber of accounts.

The delegates of Massachusetts-Bay laid before Congress their commission and instructions, which were read.

A representation from Peter Alcott and Bazaleel Woodward, styling themselves agents from the greater part of the towns in the northern district of the New-Hampshire grants, on both sides of Connecticut river, and between the heights of land on the two sides, accompanied with a paper, signed, " Joseph Marsh, chairman of said convention," purporting to be powers granted them by a convention of members from the towns aforesaid, were read.

An act of the legislature of the state of New-Hampshire was laid before Congress, and read, as follows :

## " State of NEW-HAMPSHIRE.

" In the year of our Lord one thousand seven hundred and seven-  
" ty-nine.

" An act for complying with and carrying into effect the recommen-  
" dations contained in certain resolutions of the Congress of the  
" United States of America, of the 24th of September and 2d of  
" October, 1779.

" Whereas the Congress of the United States of America did, on  
" the 24th day of September last past, unanimously enter into certain  
" resolutions, in the words following, namely, (here the resolutions  
" are entered at full length) and whereas also the said Congress of the  
" United States of America did, on the 2d of October last, unani-  
" mously enter into a certain resolution, in the words following,  
" namely, ' whereas in the first resolution of Congress of the 24th of  
" September,' &c. (the whole resolution being recited) and whereas  
" the afore-recited resolutions and recommendations are founded in  
" equal justice and true policy, and have for their object the establish-  
" ment of perpetual harmony, friendship and mutual confidence be-  
" tween the states therein named, which is no less the desire than in-  
" terest of this state to promote: Be it therefore enacted, that all the  
" powers and authorities which it is recommended to or requested of  
" this state, in and by the said resolutions, to vest in or grant to the  
" said Congress, shall be and hereby are vested in and granted thereto,  
" as fully and amply as if the same were herein again particularly  
" enumerated and described; and that the decisions and determina-  
" tions which shall be made in the premises, in pursuance of the pow-  
" ers and authorities hereby granted, shall be obligatory on this state  
" and the people thereof, so far as the said decisions and determina-  
" tions, or any or either of them, shall respect the same or any part  
" thereof. And further, that this act shall always be construed in a  
" sense most adapted to advance the design, true intent and meaning  
" of the said resolutions. And be it further enacted, by the authority  
" aforesaid, that no advantage shall be taken by this state of the non-  
" performance of any of the conditions in any of the grants of land  
" in the said resolutions referred to; but that further time be given  
" to fulfil the same respectively, to wit, until the expiration of six  
" years, to be computed from the publication of this act.

" And be it further enacted, by the authority aforesaid, That Sa-  
" muel Livermore, Esq. with the delegates of this state at the Con-  
" tinental Congress, for the time being, or either of them, be and  
" they are hereby fully authorised and empowered to appear as  
" agent or agents for this state, and to represent the same before  
" the said Congress, or any court or commissioners appointed by  
" Congress, to hear and determine any or all the disputes afore-  
" said."

*Resolved*, That the commissary-general of musters, his deputies and  
mustermasters, be allowed 100 dollars per month for each detained  
ration from the 18th of August last to the 12th of January last, when the  
department was discontinued, in like manner as officers in the line.

*Resolved*, That the officers attached to the companies of sappers and  
miners be commissioned, and rank as follows:

Mr. Nevin, captain, April 25th, 1779 ;  
 Mr. Bebee,  
 Mr. Murray,  
 Mr. Du Veil,  
 Mr. Gilleland,  
 Mr. Bushnell,  
 Mr. Cleveland,  
 Mr. Welsh, lieutenant.

captains, }  
 captain lieutenants, }  
 August 2, 1779 ;

*Resolved*, That in part payment for the wood and other supplies, furnished for the use of the United States, from the estate of Stephen Moore, at West-Point, a warrant issue on the treasurer, in his favour, for 10,000 dollars, and another on his excellency Richard Caswell, Esq. governor of the state of North-Carolina, in his favour, for 30,000 dollars, being part of the money raised in the said state for the use of the United States ; and that the final settlement of his demands be deferred to a future opportunity.

— — — — —  
*TUESDAY, February 8, 1780.*

Whereas by a resolution of Congress of the 28th of November, 1778, it was provided, that the allowance of the managers, after that time, should be determined at the close of the drawing of the second class of the lottery :

*Resolved*, That the said managers be respectively allowed 12 dollars per day for their services from the 28th of November, 1778, to the 29th of June 1779, being the time of finishing the drawing as aforesaid ; and that their allowance for transacting the business of the third class be determined at the close of the drawing thereof.

*Resolved*, That the resignation of Mr. R. Troup, secretary of the board of treasury, be accepted.

*Resolved*, That when any ship or vessel of war, in the service of the United States, shall be lost by capture or otherwise, a court of enquiry, consisting of that continental navy board which shall by the board of admiralty be directed to proceed therein, or any three persons that such navy board may appoint, be held to enquire into the cause of such loss ; and if it shall appear that the same was occasioned by the negligence or misconduct of the captain, or any other commissioned officer belonging to the ship or vessel of war so lost, that then a court-martial be held for the trial of the officer so offending, to consist of such officers, if conveniently to be collected, as by the rules and regulations of the navy constitute a court-martial ; otherwise of five such persons as the said navy board shall for that purpose appoint ; and if such loss should be by capture, and it shall appear on trial, that the same was occasioned by the cowardice or treachery of the commanding officer, then, and in that case, such commanding officer shall suffer death ; and if the loss, whether by capture or otherwise, should be occasioned by any other misconduct, such commanding officer shall be, by such court-martial, cashiered :

That when two or more ships or vessels of war, in the service of these states, are in company, and any or either of them shall be lost, by capture or otherwise, a court of enquiry, so constituted as aforesaid, shall be held to enquire into the causes thereof ; and if it should appear

that such loss was occasioned by the malconduct or negligence of any captain or commanding officer of any ship or vessel in company as aforesaid, then a court-martial, constituted as before mentioned, shall be held for the trial of the officer so offending ; and if the loss should be by capture, and it should appear on trial, that such capture was occasioned by the cowardice or treachery of such captain or commanding officer, by withholding his assistance from the ship or vessel of war so captured, then, and in that case, such captain or commanding officer shall suffer death ; but if it shall appear that the loss happened through any other malconduct of such captain or commanding officer, then he shall be, by such court-martial, cashiered :

That if, upon enquiry as aforesaid, into the conduct of any officer or officers in the service of these states, it shall appear that they, or any of them, shall have offended in any instance mentioned in these resolutions, it shall be in the power of the navy board to suspend such officer or officers, until a trial by court-martial shall be had ; and the navy board shall forthwith transmitt to the board of admiralty the proceedings of such court of enquiry, with their doings in consequence thereof, and to Congress all the proceedings of courts-martial, when any shall be had, previous to the execution of any capital sentence that shall be by such court-martial awarded ; to the end that Congress may extend their mercy to such offenders as they may judge to be proper objects thereof.

*Resolved*, That the board of admiralty order a court of enquiry to be instituted agreeably to the foregoing resolution, to enquire into the cause of the loss of the continental sloop Fly, lately commanded by captain James Robinson.

A petition from the corporation of the public grammar school, or academy, of the borough of Wilmington, in the Delaware state, was read, praying a compensation for the damages done to their public school :

*Ordered*, That it be referred to the board of treasury, there to be filed with papers of a similiar nature.

WEDNESDAY, February 9, 1780.

A letter, of the 8th, from W. Paca, was read, signifying his acceptance of the office of judge of the court of appeals.

*Resolved*, That the reasonable expense any state hath incurred, or may incur, by raising and having in the continental army more than what shall hereafter appear to have been their just proportion of the troops actually serving in the said army from time to time, shall be allowed to such states, and equitably adjusted in a final settlement of their accounts with the United States.

*Resolved*, That for the ensuing campaign the states be respectively required to furnish, by draughts or otherwise, on or before the first day of April next, their respective deficiencies of the number of 35,211 men, exclusive of commissioned officers, which Congress deem necessary for the service of the present year :

That the quotas of the several states be as follows ;

New-Hampshire,	1215
Massachusetts-Bay,	6070
Rhode-Island,	810
Connecticut,	3238

New-York,	1620
New-Jersey,	1620
Pennsylvania,	4855
Delaware,	405
Maryland,	3238
Virginia,	6070
North-Carolina,	3640
South-Carolina,	2430 exclusive of blacks:

That all the men whose times of service do not expire before the last day of September next, be counted towards the quotas of the states to which they respectively belong, whether they compose the battalions in the line of the several states, those of the additional corps, including the guards, the artillery and horse, or the regimented artificers in the departments of the quarter master-general and commissary-general of military stores, who being credited to the states respectively, should be provided for, deemed and treated in the same manner with the men in the several state lines; and it is recommended to the several states to make like provision for the officers and men of the artillery, horse, additional corps, including the guards and regimented artificers, as may be made in pursuance of any resolution of Congress, for the officers and men of their respective battalions; with such exceptions, respecting the regimented artificers, as have been made by Congress in their acts concerning them:

That the commander in chief be forthwith directed to transmit to the several states accurate returns of the troops now in service, belonging or credited to their respective quotas; to the intent that immediate measures be taken by the governments of the states, to bring the men to be raised into the field, with certainty and expedition.

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THURSDAY, February 10, 1780.

*Resolved*, That Congress entertain a high sense of the merit and services of colonel Armand, and that his application for leave of absence, for the space of six months, after the end of the next campaign, be complied with.

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FRIDAY, February 11, 1780.

A letter, of the 9th, from the board of war, was read, informing that they had appointed Samuel Hodgdon, the principal field-commissary, of military stores, to be deputy-commissary-general of military stores, and proposing that his pay should be 1250 dollars per month; whereupon,

*Resolved*, That the pay of Samuel Hodgdon, deputy-commissary-general of military stores, be 1250 dollars per month, until the further order of Congress.

*Resolved*, That the executive power of the state of Virginia be authorised to examine the accounts of the deputy-commissary-general of purchases and issues against colonel Bland, for articles supplied for his use while in command at the post of Charlottesville, and to make such allowances in his favour as they shall deem just and proper; and that colonel Bland be discharged from payment of the monies charged against

him for all articles which, in the opinion of the said executive, he should have been allowed, from the peculiar situation of his command.

*Resolved*, That Congress highly applaud the unremitting exertions of the state of Georgia, and the zeal and firmness manifested by them under all their difficulties; and that the state of Georgia may be assured no endeavour will be wanting on the part of Congress to promote her interests.

*Resolved*, That the quota of continental troops for the state of Georgia be, in the ensuing campaign, one battalion of infantry and one regiment of horse.

*Resolved*, That Congress approve the plan adopted by the state of Georgia for reducing the four regiments of that state into one, for officering the same, and also the regiment of cavalry.

*Resolved*, That such officers as cannot be employed in the line of that state be deemed supernumeraries, and entitled to every privilege with officers in like situation.

*Resolved*, That the president inform the governor of the state of Georgia that a general exchange of prisoners is now negotiating, and due regard will undoubtedly be paid to colonel Elbert.

*Resolved*, That notwithstanding the high sense Congress entertain of the merit of colonel Elbert, Congress cannot at present promote him to the rank of brigadier in the continental army, as such promotion would be productive of discontent in the line of the army.

*Ordered*, That the resolution respecting the exchange of colonel Elbert, be transmitted to gen. Washington.

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*SATURDAY, February 12, 1780.*

*Resolved*, That the governor and privy-council of the state of South-Carolina be requested to advance, from time to time, to the military chest, such sums of money, being part of the taxes raised in the said state, for the use of the United States, as they, on consulting the commanding officer in the southern department, may find necessary for the public service there, advising the board of treasury thereof: and that, on receipt of the documents shewing such payments respectively, the said board credit the state with the same, from the dates when they were severally made, according to the resolution of Congress of the 6th of October last.

Congress resumed the consideration of the proceedings of the court-martial on the trial of major-general Arnold, and the same being gone through;

A motion was made by Mr. Forbes, seconded by Mr. Jones, that the sentence of the court-martial be confirmed; on which,

The yeas and nays were required, and

It was resolved in the affirmative.

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*MONDAY, February 14, 1780.*

*Resolved*, That recruiting money be furnished to major Lee, to enable him to enlist seventy privates, to serve as dismounted dragoons, in addition to those now in the corps; the whole to be formed into three troops.

A letter, of this day, from George Hoffner, adjutant in colonel Proc-

tor's regiment of artillery, was read, requesting leave to resign his commission; whereupon,

*Resolved*, That his resignation be accepted.

A letter, of this day, from Lawrence Allman, captain-lieutenant in colonel Proctor's regiment of artillery, was read, requesting leave to resign his commission:

*Resolved*, That his resignation be accepted.

— *TUESDAY, February 15, 1780.* —

*Resolved*, That a copy of the letters from the state of Georgia, as far as they relate to gen. M'Intosh, be transmitted to that officer, and that he be informed, Congrefs deem it inexpedient to employ him at present in the southern army; and therefore his services in that department be dispensed with, until the further order of Congrefs.

— *FRIDAY, February 18, 1780.* —

A memorial from John Holker, Esq. agent for the marine of France, &c. was read, accompanied with an appeal from the judgment of the court of admiralty for the state of Massachusetts-Bay, on the libel, John Tucker, versus the ship Le Vern:

*Ordered*, That it be referred to the committee on appeals.

— *SATURDAY, February 19, 1780.* —

*Resolved*, That the memorial of captain Ebenezer Green, one of the hostages at the Cedars, be referred to the commander in chief, who is hereby authorised and directed to take such measures, relative to the said hostages, as he shall judge most expedient.

— *MONDAY, February 21, 1780.* —

*Resolved*, That the commissioners of Indian affairs in the northern department be authorised and instructed to take such securities from the hostile tribes of Indians, to ensure the faithful performance of their engagements with the said commissioners, as seem most conducive to the end proposed, in lieu of hostages.

*Resolved*, That the promotion of the artillery and horse be determined by the rules executed with regard to the infantry; and that no promotions to the rank of colonel, either in the artillery or cavalry, be made on vacancies.

*Resolved*, That all aids-de-camp now in service, who were appointed before the 27th of May, 1778, and are not admissible into any state line, receive commissions agreeable to the rank they are entitled to, under the resolution of June 5th, 1776; their commissions to bear the dates of their appointments.

— *TUESDAY, February 22, 1780.* —

A letter, of this day, from Mr. Gerry was read: whereupon,

*Resolved*, That any member thinking his privilege infringed by any thing said or done in the house, ought of right to be heard in his place.

— *WEDNESDAY, February 23, 1780.* —

Colonel Armand, marquis de la Rouerie, having applied for promo-

tion to the rank of brigadier in the service of the United States ; and Congress (though conscious of his merit, and that he has upon all occasions exhibited undoubted and distinguished proofs of his great zeal, activity and vigilance, intelligence and bravery ; and in the last campaign, particularly, rendered very valuable services) not thinking it expedient under the present circumstances of the army to comply with his request, as it would too much interfere with the arrangements lately established, and be injurious to the rights of other colonels who have been longer in service than colonel Armand ; and being desirous as well to promote the public interest, as to testify their good opinion of colonel Armand, by affording him an opportunity of continuing in the service of the United States,

*Resolved*, That the remains of the legion of the late count Pulaski, be incorporated with the corps of colonel Armand, marquis de la Rouerie, in such manner as the commander in chief of the southern army shall think proper : the united corps to be formed into a legion to be commanded by colonel Armand ; provided however that general Lincoln has not already entered into measures for complying with the resolution of Congress of December 29th, 1779.

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FRIDAY, February 25, 1780.

Mr. L'Hommedieu, one of the delegates from the state of New-York, laid before Congress, sundry resolutions of the senate of that state, relative to the appointment of delegates, which were read.

Congress resumed the consideration of the report of the committee for estimating supplies, and the same having been debated by paragraphs, and amended, the following resolutions were agreed to, viz.

*Resolved*, That the several states be called on forthwith to procure their respective quotas of supplies for the ensuing campaign, as follows, to wit.

New-Hampshire,	11,200 hundred weight of beef,
	35,643 gallons of rum,
Massachusetts-Bay,	56,000 hundred weight of beef,
	12,126 bushels of salt,
	195,628 gallons of rum,
Rhode-Island,	2,240 hundred weight of beef,
	2,000 bushels of salt,
	18,621 gallons of rum,
	400 tons of hay,
Connecticut,	78,400 hundred weight of beef,
	1,011 bushels of salt,
	68,558 gallons of rum,
	500 tons of hay,
New-York,	11,200 hundred weight of beef,
	13,969 barrels of flour,
	500 tons of hay,
	30,000 bushels of Indian corn, or other short forage equivalent,
New-Jersey,	18,000 hundred weight of beef,
	10,000 barrels of flour,
	3,758 bushels of salt,

	3,500 tons of hay, 30,000 bushels of corn, or short forage equivalent,
Pennsylvania,	40,000 barrels of flour, 14,189 bushels of salt, 24,423 gallons of rum, 1,700 tons of hay, 200,000 bushels of corn, or short forage equivalent,
Delaware,	3,055 barrels of flour, 500 tons of hay, 18,662 bushels of corn, or short forage equivalent,
Maryland,	40,000 hundred weight of beef, 20,000 barrels of flour, 200 tons of hay or corn blade, 56,152 bushels of corn, or short forage equivalent.
Virginia,	1,000 hogsheads of tobacco, 47,000 hundred weight of beef, 1,278 barrels of flour, 10,700 bushels of salt, 400 tons of hay or corn blade, 200,000 bushels of corn, or short forage equivalent,
North-Carolina,	6,000 hogsheads of tobacco, 100,000 gallons of rum, 49,875 hundred weight of beef, 15,000 barrels of flour, 4,500 bushels of salt, 800 tons of hay or corn blade, 80,000 bushels of corn, or short forage in proportion,
South-Carolina,	16,000 hundred weight of beef, 52,000 hundred weight of rice, 5,000 bushels of salt, 120,000 gallons of rum, 800 tons of hay, or corn blade, 80,000 bushels of corn, or short forage equivalent,

*Resolved*, That pork be received from any state in lieu of beef, in quantities proportioned to the prices assigned to each.

*Resolved*, That continental rum, or other spirit suitable for the army, be received in lieu of West-India rum, in proportion to the prices assigned to each.

*Resolved*, That the articles aforesaid, be collected and deposited, or delivered, at the risk of the respective states, in such places within each state respectively, as the commander in chief shall judge most convenient, except tobacco, which is to be under the direction of the commercial committee.

*Provided*, That such of the said articles as shall be destroyed or

taken by the enemy, after being deposited as aforesaid, or which shall be damaged by long keeping, shall be paid for by the United States.

*Resolved*, That the respective states be credited for all such commodities, being of good and sufficient quality, as shall be received for the use of the United States, by persons appointed to inspect the same, at the prices following, to wit.

Merchantable flour, per hundred weight gross, viz. 112 lb.  $4\frac{1}{2}$  dollars.

Beef, best grafts fed, which shall be delivered between the first of July and the first of December,  $5\frac{1}{2}$  dollars per net hundred weight.

Beef, best stall fed, which shall be delivered in the month of December,  $6\frac{1}{2}$  dollars per net hundred weight; and for all that shall be delivered after the first of January, and before the first of July, 8 dollars per net hundred weight.

Fresh pork, well fatted with corn or rice, 7 dollars per net hundred weight.

Salted pork per barrel, well fatted as aforesaid, containing 220 lb. net, 22 dollars.

Salted beef per barrel, containing 240 lb. net.  $17\frac{1}{2}$  dollars.

Clean well dried Indian corn per bushel,  $\frac{1}{2}$  a dollar.

Oats, well cleaned,  $\frac{1}{2}$  a dollar per bushel.

Rice, well cleaned, per bushel, 1 dollar.

White beans and peas per bushel,  $1\frac{1}{2}$  dollar.

Wheat per bushel, weighing 60 lb.  $1\frac{1}{2}$  dollar.

Spelts,  $\frac{1}{2}$  a dollar per bushel.

Buckwheat per bushel,  $\frac{2}{3}$  of a dollar.

Rough rice,  $\frac{3}{4}$  of a dollar per bushel.

Merchantable rice, 3 dollars per hundred weight.

Best upland first crop hay per ton, 15 dollars.

Best Indian corn blades per ton, 15 dollars.

Good inspected tobacco per hundred net, 6 dollars.

West-India rum, good proof,  $1\frac{2}{3}$  dollar per gallon.

Best allum or rock salt per bushel, 3 dollars; and other salt in proportion.

Continental rum, good proof, 1 dollar; and other spirits, good proof, suitable for the army, at prices in the usual proportions to the price of rye.

*Resolved*, That all the accounts between these states, relating to their quotas of the supplies aforesaid, shall be kept and finally settled in Spanish milled dollars, and the balances finally paid in specie.

*Resolved*, That if it shall appear, on an adjustment of the quotas of the several states, that any state has supplied more than its due proportion in value, every such state shall be paid the value of the surplus, at the rates aforesaid, in specie, with interest at 6 per centum per annum, from the time such surplus shall have been deposited as above directed; and every state which shall have failed to supply its due proportion, shall be charged with the deficiency, at the rates aforesaid, and the like interest thereon, from the time that the same ought to have been deposited.

*Resolved*, That the several states cause monthly returns to be made

to the board of war of all such commodities as shall be procured for the use of the United States; specifying the quantities issued in each preceding month.

*Resolved*, That when any state shall have taken the necessary measures for furnishing its quota of the said supplies, and shall have given information thereof to Congress, such state be authorised to carry into effect the resolution of the 17th of December last, for discontinuing purchases of such supplies, by the commissaries or quartermasters within the same.

*Resolved*, That the several states be excused from paying into the treasury two-thirds of the monies which they were called on to raise monthly, for the use of the United States, by the resolution of the 6th of October, 1779.

*Resolved*, That it be recommended to the states to furnish such parts of their quotas of meat, in beef cattle, as the commissaries shall from time to time have occasion for, to supply the army with fresh beef through the different seasons of the year.

That only such quantities of beef and pork be salted, to be delivered in barrels, as shall be requested by the commissary-general.

That the hides and tallow of the beef cattle, delivered on foot, shall be received and credited at the same price as the beef.

That the provisions furnished by authority of any state, for the use of the army, since the first day of December last, may be credited as part of the quota of supplies assigned to such state; at the prices fixed in the foregoing resolutions, if such state desire it.

*Resolved*, That doctor David Oliphant, director-general of the hospitals in the state of South-Carolina, be and he is hereby directed to make monthly returns to the medical committee, agreeable to the resolutions of Congress of the 7th of April, 1777; and that he cause a duplicate thereof to be delivered monthly to the commanding officer, for the time being, of the southern army; and that the director-general of the hospitals to the army of the United States be furnished with a copy of this resolution.

MONDAY, February 28, 1780.

*Resolved*, That lieutenant-colonel White be informed that Congress have resolved to grant no colonels' commissions in the army of the United States of America; and therefore lieutenant-colonel White's request cannot be complied with.

*Resolved*, That lieutenant-colonel Baldwin, and the officers of the several companies of artificers that were incorporated on the 12th of November last, and put under his command, and who were in service before that day, be allowed the increased subsistence of 100 dollars per month for each retained ration, in like manner as the same has been allowed to officers in the line, by virtue of the resolution of Congress of the 18th of August last, for such time as they were in service subsequent to the day last mentioned.

*Resolved*, That lieutenant-colonel Baldwin be allowed, in the payment of the balance due by him to the United States, the sum of 6491 dollars, being monies which fell into the hands of the enemy, at Skeensborough, without any default.

*TUESDAY, February 29, 1780.*

The board of war, to whom was referred the letter from gen. Irvine, of the 23d ult. brought in a report, which was read; whereupon,

*Resolved*, That the letter from gen. Irvine, of January 23d, relative to his rank, be referred to the commander in chief; and that he be authorized to direct the necessary enquiry into gen. Irvine's claim, and finally settle the same.

*Resolved*, That the president of the council of Massachusetts-Bay be informed, in answer to his letter of the 13th of January last, that all grants and allowances, of what name or nature soever, made by Congress to the officers and soldiers of the continental army, in addition to their pay, rations or bounties, since the first day of January, 1777, (except for extra services, or expences in special cases) were made in consideration of the enhanced prices of the necessaries of life, in consequence of the depreciation of the paper currency, and ought to be accordingly considered in making good the original contract.

*WEDNESDAY, March 1, 1780.*

The delegates from the state of Connecticut laid before Congress the credentials of their appointment, which were read.

*Resolved*, That although Congress have been informed of the good conduct and character of the chevalier de Vandre, who has served with reputation the last campaign, in the corps commanded by col. Armand, the circumstances of the army will not admit of his being promoted:

That he receive the pay and subsistence of a lieutenant of dragoons, during the time of his service in America, and the sum of 2000 dollars to enable him to return to France.

*Resolved*, That any interest the United States may have in the capture of the brigantine *Betsey*, by the sloop *Argo*, Silas Talbot, commander, be relinquished to the said captain Talbot, and the officers, seamen, and marines under his command at the time of the capture.

*THURSDAY, March 2, 1780.*

*Resolved*, That Tuesday next be assigned for taking into consideration the disputes and differences relative to the jurisdiction of the states of New-York, Massachusetts-Bay, and New-Hampshire, or such of them as have passed laws agreeable to a recommendation of Congress of the 24th of September last, on one part, and the people of a certain district of country called the New-Hampshire Grants, who claim to a separate jurisdiction, on the other part.

*SATURDAY, March 4, 1780.*

A letter, of February 1st, from D. Avery, chaplain to the brigade, late Learned's, was read, requesting leave, on account of his ill state of health, to resign:

*Resolved*, That his resignation be accepted.

*Resolved*, That Mr. Nevin be appointed a captain of engineers, to rank from the 25th of April, 1779.

That the chevalier Bonnevalle be appointed to the rank of ensign in the army of the United States.

*Resolved*, That the board of treasury be directed to suspend the sale of any more bills of exchange, till the further order of Congress.

MONDAY, March 6, 1780.

Mr. J. Morin Scott, a delegate from the state of New-York, attended and took his seat in Congress.

The board of treasury, to whom was referred the letter of William Smith, of Baltimore, dated February 10th, respecting the payment of interest due on loan-office certificates, issued in the state of Georgia, report as their opinion,

That the said interest cannot be regularly discharged, except by the person who is possessed of the books of the office, and by whom alone they can be checked; and that as the government of the said state is now again in operation, and it cannot be doubted that the business of the loan-office is revived and regularly carried on, the certificates ought to be presented there.

*Resolved*, That Congress agree to the said report.

*Resolved*, That the governors of Virginia, North-Carolina and South-Carolina, be requested to use their utmost exertions in filling up their continental battalions, and that the men, as they can be from time to time collected, to the number of fifty, be forwarded to join the southern army; that, in the mean time, the said states be requested to raise a body of militia, to join and serve in the southern army until the first day of January next, unless sooner relieved by their respective quotas of continental troops, or otherwise discharged.

The board of treasury report,

That, on information, they find large supplies for the army have been lately collected in the state of New-Jersey, in consequence of an application from the commander in chief, either by the magistrates or persons appointed for that end by the legislature; the accounts arising on which can be more conveniently paid and settled under the direction of the state than in any other mode; whereupon,

*Resolved*, That it be recommended to the legislature of the state of New-Jersey, to take measures for the payment of the accounts arising for supplies lately furnished to the army, in consequence of the application of the commander in chief, in the mode which they may judge most conducive to the relief of those who have furnished them; including the same in their accounts against the United States, to be subject to examination in like manner as other charges.

TUESDAY, March 7, 1780.

Mr. P. Schuyler, a delegate for the state of New-York, attended and took his seat in Congress.

Mr. R. R. Livingston, a delegate for the state of New-York, laid before Congress a resolution of the legislature of that state, extending his delegation until the first day of October next.

*Resolved*, That major-general baron Steuben be allowed the sum of 250 louis d'ors, in bills of exchange, for reimbursing him the expenses of himself and family coming to America.

A letter, of January 22d, from W. Whipple, was read, acknowledg-

ledging the receipt of the act of Congress appointing him a commissioner of the board of admiralty, which office, on account of the situation of his private affairs, he is obliged to decline.

WEDNESDAY, March 8, 1780.

*Resolved*, That it be earnestly recommended to the states of Virginia, North-Carolina, and South-Carolina, to have in readiness to act, as the operations of the campaign shall require, a body of 5000 militia, or state troops, over and above their quotas of continental troops; in the following proportions, to wit.

Virginia,	2000
North-Carolina,	1500
South-Carolina,	1500

That the militia directed to be held in readiness by the states of Virginia, North-Carolina, and South-Carolina, agreeable to the foregoing resolution, be called into actual service whenever the commanding officer in the southern department shall deem it necessary.

That the commander in chief be directed to make such detachment from the troops under his command, to reinforce the southern army, as his strength and circumstances will permit.

*Resolved*, That the board of treasury report such sums as they may deem competent to be advanced to the commissioners and clerks of the several boards, auditors of the army, and other civil officers, for their necessary expenses, to be accounted for toward their salaries, when a new establishment thereof shall be made by Congress.

*Resolved*, That the board of treasury be directed to deliver to the committee of commerce bills of exchange, drawn on the honourable John Jay, Esq. minister plenipotentiary at the court of Spain, for a sum equal to £. 5000 sterling, to be forwarded by the committee of commerce to Mr. Bingham, or delivered to his agent, Mr. Benezet, in Philadelphia, to discharge in part the debt due from the United States to the said William Bingham.

That, in consequence of the request of the said William Bingham, he have leave to return to Philadelphia.

THURSDAY, March 9, 1780.

*Resolved*, That the chevalier de Fontivereaux, who has for some time borne the rank of lieutenant in the army of the United States, by brevet, receive the commission of lieutenant of dragoons, in colonel Armand's legion.

FRIDAY, March 10, 1780.

Whereas gen. Schuyler has declined the appointment made in consequence of the resolution of the 20th January last:

*Resolved*, That the remaining commissioners be empowered to proceed in the business committed to them.

*Resolved*, That a committee of three be appointed to confer with the said commissioners, and with them devise the best ways and means of carrying their commission into effect.

The members chosen, Mr. Sherman, Mr. Jones and Mr. Schuyler.

For the better regulating the payment of arrears due, or become

due, to the soldiery, for clothing, pursuant to the resolution of Congress of the 16th of August last,

*Resolved*, That the several regimental-paymasters, at the end of each year, make out returns of the clothing drawn by each soldier in the regiment to which he belongs, in the course thereof, and of the articles still due and to be paid for, at the value fixed by the clothier-general.

That each of the said returns, certified by the sub or state clothier of the troops of the state to which the regiment may belong, accompanied by a certified copy of the last muster-roll, be delivered to the auditors of the army, or detachment of the army, in which the said regiment may be, who shall compare the return with the muster-roll, file them in their office, and report a warrant, in the usual form, for the sum necessary to discharge the arrears to the soldiers; and when any part of the regiment happens to be detached at that time, the sum necessary to pay them shall, when they return, be granted on a certificate of the inspector who musters the regiment, and settled in the same manner as the arrears due to those present:

That each regimental-paymaster, within two weeks after the receipt of the money, pay off the several companies, and take receipts from the soldiers respectively, to be produced as his vouchers to the auditors, at the next settlement of his regimental pay-roll.

That the said auditors examine and settle the said accounts, and the balance, if any, which may remain in the hands of the said paymaster, by reason of casualties in the regiment, after the taking of the muster-roll aforesaid, be refunded, as directed by the resolutions of Congress of the 6th day of February, 1778.

That arrears of clothing due to prisoners, or the legal representatives of such as from time to time may have died in the service, be paid for in the manner directed in similar cases of arrears of pay by the said last recited resolutions.

The board of treasury, to whom was referred a letter of January 26th, from the board of war, respecting the right of persons out of office to draw pay, rations and subsistence, while settling their accounts, brought in a report; whereupon,

*Resolved*, That no allowance of pay, rations or subsistence, ought to be made to any person after he ceases to be in office.

That if any issuer deliver out public stores to such persons, without being authorised by a resolution of Congress, the same ought to be charged to his account.

—————  
SATURDAY, March 11, 1780.

*Resolved*, That the commander in chief be empowered and directed, to make the most salutary regulations possible for modifying the practice of taking men from the regiments to act as servants to officers, which has heretofore been attended with many bad consequences:

That every officer who by such regulation shall be entitled to a servant, and who shall enlist, to serve during the war, a youth not under fifteen nor exceeding eighteen years of age, and who from appearances is likely to prove an able-bodied soldier, such officer shall retain the youth so enlisted as his servant until, in the opinion of the inspector

general, or one of the sub-inspectors, he shall be fit to bear arms; and the youth shall receive the bounty money, clothing, pay and rations of a soldier; and the officer to whom such servant shall be attached, is not to be allowed a man out of the ranks, on any pretence whatsoever, while such servant remains with him. In case of the death or resignation of such officer, the servant to be turned over to some other officer, in the regiment, entitled to a servant. The like allowances of clothing, pay and rations shall be given to any officer entitled as aforesaid to a servant who shall bring into the field with him a servant of his own; the officer in such case not to be allowed a servant out of the line.

*Resolved*, That the board of war give the necessary directions for replacing, out of the public stores, as soon as a sufficient quantity can be spared, the flour borrowed of Mr. Holker, agent for the marine of France in the year 1779, for the use of the United States.

*Resolved*, That the legislature of the state of Maryland be requested to deliver to Mr. Holker, or his agent, on or before the first day of May next, out of the quantity of flour called for by the resolution of the 25th of February last, such a quantity as, with what has been already purchased and now in the possession of Mr. Holker's agent, in Maryland, will complete the quantity of 15,000 barrels for the marine of France.

*Resolved*, That the legislature of the state of Pennsylvania be requested to deliver to Mr. Holker, or his agent, on or before the first day of May next, as a part of the supplies called for by the said resolutions of the 25th of February last, 6000 barrels of flour, 600 barrels of pork, and 200 barrels of beef for the use of the marine of France.

*Resolved*, That the legislature of the state of Connecticut be requested to deliver to Mr. Holker, or his agent, on or before the first day of May next, as a part of the supplies called for from that state, 1000 barrels of pork and 1555 barrels of flour for the above purpose.

*Resolved*, That the above supplies, when delivered, be charged to Mr. Holker, in account with the United States, in specie, at prices fixed in the said resolutions of the 25th of February last.

*Resolved*, That the deputy-quartermaster-general and principal purchasing-commissary in the southern army ascertain, in the best manner circumstances will admit, the quantities of forage and provisions supplied by the inhabitants to the forces of his most Christian majesty while the armies lay before Savannah last September and October, and pay for the same what they were reasonably worth, keeping exact and separate accounts of the sums so paid, and transmitting the same to the treasury board, as soon as may be.

#### A PROCLAMATION FOR A FAST.

It having pleased the righteous Governor of the World, for the punishment of our manifold offences, to permit the sword of war still to harass our country, it becomes us to endeavour, by humbling ourselves before him, and turning from every evil way, to avert his anger and obtain his favour and blessing: it is therefore hereby recommended to the several states,

That WEDNESDAY, the twenty-sixth day of April next, be set apart and observed as a day of FASTING, HUMILIATION and

PRAYER, that we may, with one heart and one voice, implore the Sovereign Lord of Heaven and Earth to remember mercy in his judgments ;—to make us sincerely penitent for our transgressions ;—to prepare us for deliverance, and to remove the evils with which he hath been pleased to visit us ;—to banish vice and irreligion from among us, and establish virtue and piety by his divine grace ;—to bleſs all public councils throughout the United States, giving them wiſdom, firmneſs and unanimity, and directing them to the best measures for the public good ;—to bleſs the magistrates and people of every rank, and animate and unite the hearts of all to promote the interests of their country ; to bleſs the public defence, inspiring all commanders and soldiers with magnanimity and perseverance, and giving vigour and success to the military operations by sea and land ; to bleſs the illustrious sovereign and the nation in alliance with these states, and all who interest themselves in the support of our rights and liberties ;—to make that alliance of perpetual and extensive usefulness to those immediately concerned, and mankind in general ;—to grant fruitful ſeafons, and to bleſs our industry, trade and manufaſtures ;—to bleſs all ſchools and ſeminaries of learning, and every means of instruction and education ;—to cause wars to ceafe, and to establish peace among the nations.

And it is further recommended, that fervile labour and recreations be forbidden on the ſaid day.

MONDAY, March 13, 1780.

A letter, of February 21ſt, from G. Wythe was read, declining the office of judge of the court of appeals.

THURSDAY, March 16, 1780.

A letter, of January 12th, from Thomas Waring, ſenior, was read, declining the office of a commissioner of the board of admiralty, to which he was elected.

*Resolved*, That the loan continued to the first of the preſent month, by the resolution of the 6th of October laſt, be further continued to the amount of the blank loan-office certificates which are already ordered by Congress to be ſtruk.

SATURDAY, March 18, 1780.

THESE United States having been driven into this just and neceſſary war, at the time when no regular civil governments were established, of ſufficient energy to enforce the collection of taxes, or to provide funds for the redemption of ſuch bills of credit as their neceſſities obliged them to iſſue ; and before the powers of Europe were ſufficiently convinced of the justice of their cause, or of the probable event of the controversy, to afford them aid or credit, in conſequence of which, their bills increasing in quantity beyond the ſum neceſſary for the purpoſe of a circulating medium, and wanting, at the ſame time, ſpecific funds to reſt on for their redemption, they have ſeen them daily ſink in value, notwithstanding every effort that has been made to ſupport the ſame ; in ſomuch that they are now paſſed, by common conient, in moſt parts of theſe United States, at laſt 39-40ths below their nominal value, and ſtill remain in a ſtate of depreciation, whereby the

community suffers great injustice, the public finances are deranged, and the necessary dispositions for the defence of the country are much impeded and perplexed; and whereas, effectually to remedy these evils, for which purpose the United States are now become competent, their independency being well assured, their civil governments established and vigorous, and the spirit of their citizens ardent for exertion, it is necessary speedily to reduce the quantity of the paper medium in circulation, and to establish and appropriate funds that shall ensure the punctual redemption of the bills; therefore,

*Resolved*, That the several states continue to bring into the continental treasury, by taxes or otherwise, their full quotas of 15,000,000 dollars monthly, as assigned them by the resolution of the 7th of October, 1779; a clause in the resolution of the 23d of February last, for relinquishing two-thirds of the said quotas, to the contrary notwithstanding; and that the states be further called on to make provision for continuing to bring into the said treasury their like quotas monthly, to the month of April, 1781, inclusive:

That silver and gold be receivable in payment of the said quotas, at the rate of one Spanish milled dollar in lieu of 40 dollars of the bills now in circulation.

That the said bills, as paid in, except for the months of January and February past, which may be necessary for the discharge of past contracts, be not re-issued, but destroyed.

That as fast as the said bills shall be brought in to be destroyed, and funds shall be established, as hereafter mentioned, for other bills, other bills be issued, not to exceed, on any account, one-twentieth part of the nominal sum of the bills brought in to be destroyed.

That the bills which shall be issued, be redeemable in specie, within six years after the present, and bear an interest at the rate of five per centum per annum, to be paid also in specie at the redemption of the bills, or, at the election of the holder, annually, at the respective continental loan-offices, in sterling bills of exchange, drawn by the United States on their commissioners in Europe, at 4s. 6d. sterling per dollar.

That the said new bills issue on the funds of individual states, for that purpose established, and be signed by persons appointed by them, and that the faith of the United States be also pledged for the payment of the said bills, in case any state on whose funds they shall be emitted, should, by the events of war, be rendered incapable to redeem them; which undertaking of the United States, and that of drawing bills of exchange, for payment of interest as aforesaid, shall be endorsed on the bills to be emitted, and signed by a commissioner to be appointed by Congress for that purpose.

That the face of the bills to be emitted read as follows, viz.

The possessor of this bill shall be paid Spanish milled dollars, by the 31st day of December, 1786, with interest, in like money, at the rate of five per cent. per annum, by the state of , according to an act of the legislature of the said state, of the day of , 1780.

And the endorsement shall be as follows, viz.

The United States ensure the payment of the within bill, and will

draw bills of exchange for the interest annually, if demanded, according to a resolution of Congress of the 18th day of March, 1780.

That the said new bills shall be struck under the direction of the board of treasury, in due proportion for each state, according to their said monthly quotas, and lodged in the continental loan-offices in the respective states, where the commissioner to be appointed by Congress, in conjunction with such persons as the respective states appoint, shall attend the signing of the said bills; which shall be completed no faster than in the aforesaid proportion of one to twenty of the other bills brought in to be destroyed, and which shall be lodged for that purpose in the said loan-offices.

That as the said new bills are signed and completed, the states respectively, on whose funds they issue, receive six-tenths of them, and that the remainder be subject to the orders of the United States, and credited to the states on whose funds they are issued, the accounts whereof shall be adjusted agreeably to the resolution of the 6th of October, 1779.

That the said new bills be receivable in payment of the said monthly quotas, at the same rate as aforesaid of specie; the interest thereon to be computed to the respective states, to the day the payment becomes due.

That the respective states be charged with such parts of the interest on their said bills, as shall be paid by the United States, in bills of exchange; and the accounts thereof shall be adjusted agreeably to the resolution aforesaid, of the 6th of October, 1779.

That whenever interest on the bills to be emitted shall be paid prior to their redemption, such bills shall be thereupon exchanged for others of the like tenor, to bear date from the expiration of the year for which such interest is paid.

That the several states be called on to provide funds for their quotas of the said new bills, to be so productive as to sink or redeem one sixth part of them annually, after the first day of January next.

That nothing in the foregoing resolution shall be construed to ascertain the proportions of the expense incurred by the war, which each state on a final adjustment ought to be charged with, or to exclude the claims of any state to have the prices at which different states have furnished supplies for the army hereafter taken into consideration and equitably adjusted.

That the foregoing resolutions, with a letter from the president, be dispatched to the executive of the several states, and that they be requested to call their assemblies, if not already convened, as speedily as possible, to take them into immediate consideration, to establish ample and certain funds for the purposes therein mentioned, and to take every other measure necessary to carry the same into full and vigorous effect, and that they transmit their acts for that purpose to Congress without delay.

MONDAY, March 20, 1780.

Mr. James Madison, jun. a delegate from Virginia, attended and produced the credentials of his appointment, which were read.

*Resolved*, That it be recommended to the several states, to revise

their laws, enacted pursuant to a former resolution of Congress, making the continental bills of credit a tender in discharge of debts and contracts, and to amend the same in such manner as they shall judge most conducive to justice, in the present state of the paper currency: and

That it be further recommended, that the said laws be enacted in such manner that no persons may take unjust advantage to defeat the good purposes of this resolution, by availing themselves of the notice thereof, before the passing of the several acts.

—————  
*TUESDAY, March 21, 1780.*

*Resolved*, That it be recommended to the governments of the several states, to suspend making new appointments of officers in the regiments of their respective lines, except where the commander in chief or the commanding officer in the southern department shall deem such appointments indispensably necessary.

On motion to proceed to the order of the day for taking into consideration the disputes and differences relative to the jurisdiction of the states of New-York, Massachusetts-Bay and New-Hampshire, or such of them as have passed laws, agreeably to a recommendation of Congress of the 24th of September last, on the one part, and the people of a certain tract of a country called the New-Hampshire Grants, who claim to be a separate jurisdiction, on the other part.

*Ordered*, That the same be postponed, nine states, exclusive of those who are parties to the question, not being represented in Congress.

—————  
*WEDNESDAY, March 22, 1780.*

*Resolved*, That the office of commissioner of clothing accounts, established by resolve of Congress of the 2d March, 1779, be discontinued, after six months from the date hereof; and that all persons having clothing accounts for the year 1777, and who do not exhibit them to the said commissioner within that period, shall not receive any compensation for any arrearages they may hereafter claim to be due to them.

—————  
*THURSDAY, March 23, 1780.*

*Resolved*, That the board of treasury be authorised to accept the bills drawn by major-general Lincoln, to be paid, at the election of the holder, either in loan-office certificates or in cash, with interest, as soon as the treasury shall be in condition.

*Resolved*, That Jesse Brown be continued an express rider until the post riders shall be established, agreeable to the resolution of December 27th, 1779, or until the further order of Congress.

—————  
*SATURDAY, March 25, 1780.*

Mr. Francis Kinloch, one of the delegates for South-Carolina, attended and produced the credentials of the delegates for that state, which were read.

Congress being informed that Mr. Forbes, one of the delegates for the state of Maryland, died this morning, and that it is proposed to inter his remains to-morrow evening;

*Resolved*, That Congress will in a body attend the funeral to-mor-

row evening, at five o'clock, as mourners, with a crape round the left arm, and will continue in mourning for the space of one month.

That Mr. Plater, Mr. Jones, and Mr. Mathews be a committee to superintend the funeral: and that the reverend Mr. White be notified to officiate upon the occasion.

That the said committee be directed to invite the general assembly and the president and supreme executive council of Pennsylvania, the minister plenipotentiary of France, and other persons of distinction now in town, to attend the funeral.

*Resolved*, That the papers and original affidavits, relative to the capture of the brig Eagle, John Ashmead, commander, under a fort in the island of Saba, be filed in the office of the secretary of the United States in Congress assembled.

That authenticated copies thereof, signed by the said secretary, be transmitted to their high mightinesses the states general of the United Provinces, by the minister plenipotentiary of these United States at the court of Versailles; and that he be directed to apply to them for their aid in procuring satisfaction for the loss of the said brig Eagle and cargo; and for some assurance that the flag of the United States of America shall be protected from insult when in the ports of the United Provinces.

— • —  
TUESDAY, March 28, 1780.

*Resolved*, That the resolutions of July 2d, 1779, granting further time for bringing in bills of credit of the emissions of May, 1777, and April 11th, 1778, called out of circulation by the resolution of January 2d, 1779, except the providing clause, be revived and extended to the first day of January next:

That all bills of the said emissions not brought in by or before the said first day of January, be afterwards irredeemable.

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WEDNESDAY, March 29, 1780.

*Resolved*, That brigadier-general du Portail be directed to repair, with all possible dispatch, to the southern army, and put himself under general Lincoln or the commanding officer in the southern department.

— • —  
THURSDAY, March 30.

*Resolved*, That the executive of the state of Virginia be requested to supply a sufficient quantity of provisions for the use of the convention prisoners and their guards, at the post of Charlottesville; such supplies to be credited to the quota of provisions required of the state, by the resolution of the 25th of February last.

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FRIDAY, March 31, 1780.

*Resolved*, That the resignation of J. Beatty, commissary-general of prisoners, be accepted.

— • —  
MONDAY, April 3, 1780.

The delegates of the state of Connecticut, pursuant to instructions,  
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from the legislature of the said state, moved the following resolution, which, at their request, Congress agree shall be entered on the journal :

" That the several states be authorised, by and with the advice of the commander in chief of the army, to reduce their battalions of infantry in the continental army, to a number proportioned to the number of non-commissioned officers and privates, according to the establishment made by a resolution of Congress of the 27th of May, 1778, and to discharge the supernumerary commissioned officers, who shall be entitled to half-pay for seven years from the time of their discharge, to be paid in specie, or other current money equivalent; and also to receive grants of land at the close of the war, agreeable to a resolution of September 16, 1776: that preference be given to officers who shall choose to continue in the service, according to seniority, and that the said reduction be made at such time as the commander in chief shall think most expedient; and that it be recommended to the respective states, to make such further provision for the said officers as they may judge reasonable.

*Ordered*, That Thursday next be assigned for the consideration of the foregoing motion.

Congress proceeded to the election of a secretary to the board of treasury, and the ballots being taken,

Mr. Charles Lee was elected; having been previously nominated by Mr. Burke.

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*TUESDAY, April 4, 1780.*

*Resolved*, That governor Clinton be informed, Congress approve the raising a body of 800 militia, for the defence of that state; and that they be entitled to receive continental pay and rations, and be employed under the direction of the commander in chief of the continental army, for that purpose.

— ♦ —  
*WEDNESDAY, April 5, 1780.*

The board of treasury having reported, that they have considered the memorials of Joseph Borden, and Thomas Lawrence, and James Budden, referred to them, and are of opinion that the commissioners of the loan-office were not authorised to enter into contracts for future delivery of bills of exchange; and that it is not expedient to issue the bills required.

*Resolved*, That Congress agree to the report.

— ♦ —  
*THURSDAY, April 6, 1780.*

A letter, of the 3d, from gen. Washington was read; whereupon,

*Resolved*, That a committee of three be appointed to proceed to head-quarters, to confer with the commander in chief on the subject of his letter of the 3d instant, together with a report of the board of war, and the letter from baron Steuben, on the subject of a reduction of the regiments, and the report of the commissioners on the arrangement of the staff departments of the army.

— ♦ —  
*FRIDAY, April 7, 1780.*

*Resolved*, That a commission of major, to be dated the first of May,

1779, be granted to Joseph Louis Gill, an Indian chief of the St. Francois tribe, and that all Indians of that tribe, who are willing to enter into the service of the United States, be collected and formed into a company, or companies, under the command of the said Joseph Louis Gill, and receive, while in service, the like pay, subsistence, and rations with the officers and soldiers of the continental army:

That the board of war be authorised and directed to fill up commissions for one captain and two subalterns, to be appointed to the said company, or companies of St. Francois Indians, when proper characters are recommended to them to hold such commissions.

*SATURDAY, April 8, 1780.*

*Resolved*, That the application from the state of Massachusetts-Bay, for an expedition to be adopted for dislodging the enemy from Penobscot, with the papers relating thereto, be referred to the consideration of the commander in chief of these United States; and that continental pay and rations be allowed to any body of militia, not exceeding 800 men, which the state of Massachusetts-Bay may judge necessary to be raised for the defence of the eastern part of that state.

*MONDAY, April 10, 1780.*

*Resolved*, That when Congress shall be furnished with proper documents to liquidate the depreciation of the continental bills of credit, they will, as soon thereafter as the state of the public finances will admit, make good to the line of the army, and the independent corps thereof, the deficiency of their original pay, occasioned by such depreciation; and that the money and articles heretofore paid or furnished, or hereafter to be paid or furnished, by Congress or the states, or any of them, as for pay, subsistence, or to compensate for deficiencies, shall be deemed as advanced on account, until such liquidation as aforesaid shall be adjusted; it being the determination of Congress, that all the troops serving in the continental army shall be placed on an equal footing; provided that no person shall have any benefit of this resolution, except such as were engaged during the war, or for three years, and are now in service, or shall hereafter engage during the war, for three years, and are now in service, or shall hereafter engage during the war.

*TUESDAY, April 11, 1780.*

*Resolved*, That the board of war cause enquiry to be made concerning the state of the horses referred to in the letter from J. Cox, and take order for the preservation of such as are the property of the United States; and, for that purpose, that the board request of the president and the supreme executive council of the state of Pennsylvania, so much of the forage, to be furnished by the said state, agreeably to the resolution of Congress of the 25th of February last, as the board may think necessary.

*WEDNESDAY, April 12, 1780.*

*Resolved*, That the balance of money in the hands of the board of

admiralty, arising from the sale of wines sold under their direction, be applied in fitting with dispatch the ship Saratoga.

*Resolved*, That lieutenant Honeyman, of the corps of marines, have leave of absence for six months; that, agreeably to his intentions, he may make a voyage to sea, for the recovery of his health.

INSTRUCTIONS to the COMMITTEE appointed to go to CAMP.

GENTLEMEN,

You are to confer with the commander in chief on the subjects contained in the resolution for your appointment, and such others as are committed to your charge by the following instructions.

1st. You are to consult him on the propriety of reducing the number of regiments: You may, with his advice, reduce, incorporate or unite to state lines the several additional corps.

2d. You, together with the commander in chief, are to limit the number of horses to be kept by the officers of the line and regimental staff, and to make such regulations, with respect to the soldiers employed as servants, as will, as far as is consistent with the convenience of the officers they serve, enable the United States to avail themselves of their service as soldiers.

3d. Together with the commander in chief, you are to suggest such measures and to form such plans, for the general advantage of the officers and soldiers, with respect to clothing and necessary supplies, as will tend to remove all just ground of complaint, which Congress sincerely lament that there should be any room for, and to adapt them to the abilities and circumstances of these United States, and immediately to lay them before Congress.

4th. You are to consult with the commander in chief and the commissary and quartermaster-general, about the defects of the present system, the abuses to which it is liable, and the best method of reforming the same: In doing this, you will pay particular attention to the report referred to you in your appointment, and adopt, amend, or alter the same, in such manner as shall, upon full consideration, appear to you most advisable; and you are hereby fully empowered to carry into execution any plan for conducting the quartermaster and commissary departments, which, upon advice with the commander in chief, and the heads thereof, you shall approve; always reflecting that supplies are to be drawn forth by the respective states, agreeably to the resolutions of 25th of February last.

5th. You are to enquire minutely into the management of the hospitals and medical department, and after consulting the commander in chief and director-general, you are empowered to discharge unnecessary officers, to retrench expenses, to abolish purveyorships, unless where they shall appear absolutely necessary; to contrive modes for checking their accounts, and to limit the number of horses which the officers of that department shall be permitted to keep; providing that they be as few as possible, bearing in mind that the resources of the country are much drained, and that it is more expedient that individuals should feel temporary inconveniences, than to involve our affairs in a general ruin.

6th. You are to enquire into the management of the hide department, and to reform or abolish the same, substituting contracts in lieu

thereof, if, upon advising with the commander in chief, it shall appear most salutary.

7th. You are to pay particular attention to the department of ordnance and military stores, and after consulting with the commander in chief, and the heads of the departments, to lay down such rules for the management thereof as to you shall seem necessary.

8th. After the establishment of general regulations, you shall visit the different posts, as far as you shall judge necessary, in order to see the same carried into execution; in doing of which you are vested with joint and separate powers.

You are at liberty to call to your assistance any officers in the service of the United States, whose expenses shall be borne by the states.

You are to abolish unnecessary posts, to erect others, to discharge useless officers, to stop rations improperly issued, and are hereby further authorised to exercise every power which may be requisite to effect a reformation of abuses and the general arrangement of those departments which are in any wise connected with the matters committed to your charge.

You are, from time to time, to inform Congress of the measures you have taken in consequence of these powers and instructions, and to transmit them lists of the names and occupations of the persons you shall discharge, and of those new officers, if any, which you shall find necessary to appoint.

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*THURSDAY, April 13, 1780.*

Congress proceeded to the election of a committee to proceed to headquarters, and the ballots being taken, Mr. Schuyler, Mr. Matthews and Mr. Peabody, were elected.

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*FRIDAY, April 14, 1780.*

The board of war report, that they have received an application from captain Dandridge, of Bland's regiment of light dragoons, praying leave to resign his commission; and that they have also received applications from captain Gibbs Jones, of the artillery, and lieutenant Septimus Davis, of the 11th Pennsylvania regiment, praying leave to resign their commissions; whereupon,

*Resolved*, That the resignation of the the said captain Dandridge, of Bland's regiment of light dragoons, and of captain Gibbs Jones, of the artillery, and of lieutenant S. Davis, of the 11th Pennsylvania regiment, be accepted.

*Resolved*, That Congress return their thanks to general Mifflin and colonel Pickering, for their attention to the business committed to them, manifested in their plan for the arrangement of the staff departments; and that they be informed that Congress have referred their report to a committee, who are to consult with the commander in chief and the heads of the staff departments, on the same, and such alterations as the circumstance of the army may render necessary.

*Resolved*, That gen. Mifflin and col. Pickering be informed, that the remainder of the business referred to them must, from the necessity of adapting it to such plans as may be finally concluded on, be referred to the committee who are to proceed to headquarters.

*SATURDAY, April 15, 1780.*

Congress proceeded to the election of a commissary-general of prisoners, and the ballots being taken,

Colonel Joseph Ward was elected.

*Resolved*, That any state which shall furnish the officers of the hospital and medical staff belonging to such state, in the service of the United States, with such articles of clothing as those officers are respectively entitled to, by a resolution of Congress of the 20th of November, 1779, and make returns thereof to the clothier-general, shall have credit for such supplies, in their account with the United States.

*MONDAY, April 17, 1780.*

A letter, of this day, from W. Williams, lieutenant-colonel of the 3d Pennsylvania regiment, was read, desiring leave to resign his commission:

*Resolved*, That his resignation be accepted.

*TUESDAY, April 18, 1780.*

*Resolved*, That six blank commissions be sent to col. Broadhead, commanding officer at Fort-Pitt, to be filled up with the names of such faithful Indians of the Delaware tribe as he shall judge to be deserving of that honour; but no rank to be given to any of them higher than that of captain.

*Resolved*, That col. Broadhead shall be supported by Congress in any acts or orders which the nature of the service, and the discharge of his duty, as a commanding officer at Fort-Pitt, hath made, or shall make necessary.

*WEDNESDAY, April 19, 1780.*

A letter, of this day, from E. M'Comb, was read, requesting leave to resign his office of commissioner of the chamber of accounts:

*Resolved*, That his resignation be accepted.

A report of the board of war, on the petition of lieut. col. Pierre R. de Roussi, was read; whereupon,

*Resolved*, That lieut. col. Pierre Regnier de Roussi, late of the 2d New-York regiment, in consideration of his faithful services and losses, while in the service of these United States, receive bills of exchange on the hon. John Jay, Esq. for the sum of 500 dollars, in specie, and a warrant on the treasurer for 3000 dollars, in currency of these states.

The board of treasury report, that they have taken into consideration the letter of Jeremiah Wadsworth, late commissary-general of purchases, dated August 3d, 1779, with the papers enclosed, relative to claims for provisions purchased of the inhabitants of the state of New-York, for the use of the militia employed on the frontiers thereof, referred to them by Congress, and are of opinion that the commissary-general ought not to pay such claims, because the provisions do not pass through the hands of the continental commissaries of issues, and are consequently subject to no regular check, and that the state, being informed of the number of troops, can check the expenditures of the provision, and therefore can best adjust and discharge such claims.

*Resolved*, That Congress agree to the said report.

THURSDAY, April 20, 1780.

The board of admiralty reported the form of a commission for the naval officers in the employ of the United States, which was agreed to, as follows:

THE UNITED STATES OF AMERICA in Congress assembled, to  
greeting.

WE, reposing especial trust and confidence in your valour, conduct and fidelity, do by these presents constitute and appoint you to be in the navy of the United States, to take rank from the

You are therefore carefully and diligently to discharge the duty of by doing and performing all manner of things thereunto belonging. And we do strictly charge and require all officers, marines and seamen under your command to be obedient to your orders as And you are to observe and follow such orders and directions, from time to time, as you shall receive from Congress, a committee of the states, the board of admiralty, the commander in chief, for the time being, of the navy of the United States, or any other your superior officer, according to the rules and discipline of the navy and the usage of the sea. This commission to continue in force until revoked by Congress or a committee of the states.

Witness, president of the Congress of the United States of America, at the day of in the year of our Lord and in the year of our independence.

Entered in the admiralty-office, and examined by the board.

Attest, secretary of the board of admiralty.

FRIDAY, April 21, 1780.

Mr. James Henry, a delegate for Virginia, attended and took his seat in Congress.

Whereas it appears to Congress that accidental preferences have been given in some instances to particular officers, owing as well to local circumstances as to the want of a certain ratio by which the subsistence of each respective claimant might be ascertained, agreeable to the length of time he had been in captivity; and whereas it further appears to Congress that 26 officers, taken at fort Montgomery the 16th of October, 1777, and 14 taken between the 16th of October, 1777, and May, 1778, and 17 taken August 22, 1777, at Staten-Island, have received the sum of £. 32, New-York money, more than other officers who were captured about the same period of time; and moreover that those who were on parole upon Long-Island, before the arrival of the Philadelphia prisoners at New-York, have received an allowance of 2 dollars a week of their board, of which those confined in Philadelphia had not the benefit.

*Resolved*, That, as Congress mean to extend their care and attention, without distinction, to all their officers who have the misfortune to be captured by the enemy, the sum of £. 4194 New-York money, in specie, equal to 10,485 dollars, be placed in the hands of the commissary-general of prisoners, out of which he be directed to pay to each of the officers confined in Philadelphia, while the enemy had

possession of the city, and now in captivity, the sum of £. 32 like money, equal to 80 dollars, and the farther sum of to the same persons respectively, to be computed at the rate of 2 dollars a-week from the time of their being prisoners until their board was paid by the public.

That a farther sum of money, in specie, equal to £. 1493 New-York currency, equal to 3732½ dollars, be put into the hands of the commissary-general of prisoners, for the purpose of levelling all the officers, agreeably to the different terms of their captivity, to the end that each individual may, according to his circumstances, participate of an equal share of the public provision.

And whereas it hath been represented to Congress, that a farther sum of money is requisite for all the officers in captivity, as well those who have been lately captured as those who have been in that situation for any length of time, for the purposes of paying their board, purchasing clothing and other necessaries; therefore,

*Resolved*, That the sum of £.12,463 like currency, in specie, equal to \$31,157  $\frac{1}{2}$  dollars be advanced to the commissary-general of prisoners, which he be directed to distribute among all the officers in captivity; and that the consideration of any farther allowance or comparative preference be postponed to some future period.

That a farther sum of £.2500 like money, equal to 6250 dollars, be advanced to the commissary-general of prisoners, for the purpose of supplying the sick soldiers and sailors, in captivity, with necessaries, and for other contingent expences relating to the prisoners.

*Resolved*, That gen. Washington be empowered, when properly applied to for that purpose, to authorise an agent or commissary of prisoners, appointed by the enemy, to reside in such of these states as he shall direct, and with powers similar to those granted to a like officer in behalf of the United States, and allowed by the enemy to be exercised within their lines.

MONDAY, April 24, 1780.

Mr. Joseph Jones, a delegate from Virginia, attended and took his seat.

TUESDAY, April 25, 1780.

*Resolved*, That the resignation of lieutenant Ludiman, of colonel Armand's corps, be accepted.

That the sum of 5000 dollars be granted to lieut. Ludiman, to enable him to return to Europe.

THURSDAY, April 27, 1780.

*Resolved*, That the sum of 4,800,000 dollars, ordered to be prepared in loan-office certificates of the denomination of 600 dollars each, by a resolution of Congress of the 11th of June, 1779, for borrowing 20,000,000 dollars, be not prepared; but that in lieu thereof the same sum be prepared in certificates of the following denominations, viz.

100 bills of 10,000 dollars each, - - -	1,000,000
240 do. of 5,000 do. - - - -	1,200,000
350 do. of 4,000 do. - - - -	1,400,000
400 do. of 3,000 do. - - - -	1,200,000
	4,800,000

FRIDAY, April 28, 1780.

Congress proceeded to the election of a judge of the court of appeals, in the room of Mr. Wythe, and the ballots being taken,

Mr. Cyrus Griffin was elected; having been previously nominated by Mr. Jones.

Congress then proceeded to the election of a commissioner of the board of treasury, and the ballots being taken,

William Denning, Esq. was elected; having been previously nominated by Mr. Floyd.

MONDAY, May 1, 1780.

Mr. J. Duane, a delegate for the state of New-York, being returned, laid before Congress the original credentials of the appointment of delegates for that state.

*Resolved*, That the board of treasury and the board of war forthwith take effectual measures for forwarding the troops of the continental army, now under marching orders, for the relief of Charlestown.

*Resolved*, That the sugars lately arrived in Philadelphia, consigned to Mr. Blaine, commissary-general of purchases, on account of the United States, be sold for ready money, under the directions of the committee of commerce, and the monies arising from such sales be paid into the continental treasury.

TUESDAY, May 2, 1780.

The board of admiralty having reported the form of a commission for private vessels of war, and of the bond to be given by the master and commander of the said private armed vessels, and instructions to the said masters; the same were taken into consideration and agreed to, as follows:

#### The FORM of a COMMISSION.

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§ L. S. §      The CONGRESS of the UNITED STATES of  
\*~\*~\*      AMERICA, to all to whom these PRESENTS shall  
                  come, send greeting:

KNOW YE, That we have granted, and by these presents do grant license and authority to , mariner, commander of the called the of the burden of tons, or thereabouts, belonging to mounting carriage guns, and navigated by men, to fit out and set forth the said in a warlike manner, and by and with the said and the officers and crew thereof, by force of arms to attack, subdue, seize and take all ships and other vessels, goods, wares and merchandises belonging to the crown of Great-Britain, or

any of the subjects thereof, except the ships or vessels, together with their cargoes, belonging to any inhabitant or inhabitants of Bermuda, and such other ships or vessels bringing persons with intent to settle within any of the United States; which ships or vessels shall be suffered to pass unmolested, the masters thereof permitting a peaceable search and giving satisfactory information of their lading and their destination; or any other ships or vessels, goods, wares or merchandises, to whomsoever belonging, which are or shall be declared to be subjects of capture by any resolutions of Congress, or which are so deemed by the law of nations: and the said ships and vessels, goods, wares and merchandises so apprehended as aforesaid, and as prize taken, to bring into port, in order that proceedings may be had concerning such capture, in due form of law, and as to right and justice appertaineth: and we request all kings, princes, states and potentates, being in friendship or alliance with the said United States, and others to whom it shall appertain, to give the said all aid, assistance and succour in their ports, with his said vessel, company and prizes: We, in the name and on behalf of the good people of the said United States, engaging to do the like to all the subjects of such kings, princes, states and potentates, who shall come into any ports within the said United States. And we will and require all our officers whatsoever, to give to the said all necessary aid, succour and assistance in the premises. This commission shall continue in force during the pleasure of the Congress, and no longer.

In TESTIMONY WHEREOF we have caused the seal of the admiralty of the United States to be affixed hereunto. Witnes his excellency Esq. president of the Congress of the United States of America, at this day of in the year of our Lord one thousand seven hundred and and in the year of our independence.

Passed the admiralty-office.

Attest. Secretary of the board of admiralty.

The FORM of the BOND.

Know all men by these presents, that we

are held and firmly bound to A. B. Esq. treasurer of the United States of America, in the penalty of 20,000 Spanish milled dollars, or other money equivalent thereto, to be paid to the said A. B. treasurer as aforesaid, or to his successors in that office. To which payment well and truly to be made and done, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated the day in the year of our Lord and in the

year of the independence of the United States.

The condition of this obligation is such, that whereas the above bounden master and commander of the called the belonging to mounting carriage guns, and navigated by men, and who hath applied for and received a commission, bearing date with these presents, licensing and authorising him to fit out and set forth the said in a warlike manner; and by and with the said and the officers and crew

thereof, by force of arms, to attack, subdue, seize and take all ships and other vessels, goods, wares and merchandise, belonging to the crown of Great-Britain, or any of the subjects thereof, (excepting the ships or vessels, together with their cargoes, belonging to any inhabitant or inhabitants of Bermuda, and such other ships or vessels bringing persons with intent to settle within the said United States;) and any other ships or vessels, goods, wares and merchandise, to whomsoever belonging, which are or shall be declared to be subjects of capture by any resolutions of Congress, or which are so deemed by the law of nations. If therefore the said shall, not exceed or transgress the powers and authorities given and granted to him in and by the said commission, or which are or shall be given or granted to him by any resolutions, acts or instructions of Congress, but shall in all things govern and conduct himself as master and commander of the said and the officers and crew belonging to the same, by and according to the said commission, resolutions, acts and instructions, and any treaties subsisting or which may subsist between the United States of America and any prince, power or potentate whatever: and shall not violate the law of nations or the rights of neutral powers, or of any of their subjects, and shall make reparation for all damages sustained by any misconduct or unwarrantable proceedings of himself or the officers or crew of the said then this obligation to be void, otherwise to remain in full force.

Signed, sealed and delivered

in the presence of us,

INSTRUCTIONS to the captains and commanders of private armed vessels, which shall have commissions or letters of marque and reprisal.

I. You may, by force of arms, attack, subdue and take all ships and other vessels belonging to the crown of Great-Britain or any of the subjects thereof, on the high seas, or between high water and low water marks (except the ships or vessels, together with their cargoes, belonging to any inhabitant or inhabitants of Bermuda, and such other ships and vessels bringing persons with intent to settle and reside within the United States, which you shall suffer to pass unmolested, the commanders thereof permitting a peaceable search and giving satisfactory information of the contents of the lading, and destination of the voyages). And you may also annoy the enemy by all the means in your power, by land as well as by water, taking care not to infringe or violate the laws of nations, or the laws of neutrality.

II. You are to pay a sacred regard to the rights of neutral powers, and the usage and custom of civilized nations; and on no pretence whatever presume to take or seize any ships or vessels belonging to the subjects of princes or powers in alliance with these United States, except they are employed in carrying contraband goods or soldiers to our enemies; and in such case you are to conform to the stipulations contained in the treaties subsisting between such princes or powers and these states; and you are not to capture, seize or plunder any ships or vessels of our enemies being under the protection of neutral coasts, nations or princes, under the pains and penalties expressed in a proclamation issued by Congress the 9th day of May, Anno Domini, 1778.

III. You shall bring such ships and vessels as you shall take, with their guns, rigging, tackle, apparel, furniture and ladings, to some convenient port or ports, that proceedings thereupon may be had, in due form of law, concerning such captures.

IV. You shall send the master or pilot, and one or more principal person or persons of the company of every ship or vessel by you taken in such ship or vessel, as soon after the capture as may be, to be by the judge or judges of such court as aforesaid examined upon oath; and make answer to such interrogatories as may be propounded, touching the interest or property of the ship or vessel and her lading; and at the same time you shall deliver, or cause to be delivered, to the judge or judges, all passes, sea-briefs, charter-parties, bills of lading, cockets, letters, and other documents and writings found on board, proving the said papers by the affidavit of yourself, or of some other person present at the capture, to be produced as they were received, without fraud, addition, subdution or embezzlement.

V. You shall keep and preserve every ship or vessel and cargo by you taken, until they shall, by sentence of a court properly authorized, be adjudged lawful prize, or acquitted, not felling, spoiling, wasting or diminishing the same, or breaking the bulk thereof, nor suffering any such thing to be done.

VI. If you, or any of your officers or crew, shall, in cold blood, kill or maim, or, by torture or otherwise, cruelly, inhumanly, and contrary to common usage and the practice of civilized nations in war, treat any person or persons surprised in the ship or vessel you shall take, the offender shall be severely punished.

VII. You shall, by all convenient opportunities, send to the board of admiralty written accounts of the captures you shall make, with the number and names of the captives, and intelligence of what may occur, or be discovered concerning the designs of the enemy, and the destinations, motions and operations of their fleets and armies.

VIII. One-third, at least, of your whole company, shall be land-men.

IX. You shall not ransom or discharge any prisoners or captives, but you are to take the utmost care to bring them into port; and if, from any necessity, you shall be obliged to dismiss any prisoners at sea, you shall, on your return from your cruise, make report thereof on oath, to the judge of the admiralty of the state to which you belong, or in which you arrive, within twenty days after your arrival, with your reasons for such dismission. And you are to deliver, at your expense, or the expense of your owners, the prisoners you bring into port, to a commissary of prisoners nearest the place of their landing, or into the nearest county jail.

X. You shall observe all such further instructions as Congress shall hereafter give in the premises, when you shall have notice thereof.

XI. If you shall do any thing contrary to these instructions, or to others hereafter to be given, or willingly suffer such thing to be done, you shall not only forfeit your commission, and be liable to an action for breach of the condition of your bond, but be responsible to the party grieved, for damages sustained by such malversation.

*Resolved*, That the board of admiralty be empowered and directed to cause to be printed, so many copies of said forms as they shall judge necessary.

*Resolved*, That the president transmit to the governors or presidents of the respective states, so many copies of the said forms, as the board of admiralty shall advise, and at the same time inform them, that it is the intention of Congress, that all commissions and instructions now in force, be cancelled as soon as possible, and commissions, bonds and instructions of the new form be substituted in place thereof.

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*WEDNESDAY, May 3, 1780.*

*Resolved*, That, until the further order of Congress, the deputy-paymasters-general, under the paymaster-general of the armies of the United States, be allowed at the rate of eight-tenths per cent. on the monies which they may pay out respectively to the army; and that this commission have retrospect to commence from the 29th day of May, 1779, when the pay-office was last regulated; that the said allowance be in full payment for the services of themselves and assistants, and in full compensation of all expenses, except one ration a day each, while at camp, for themselves and assistants.

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*THURSDAY, May 4, 1780.*

A letter, of April 12, from T. Holmer, was read, acquainting Congress of his acceptance of the office of judge of the court of appeals, to which they have been pleased to appoint him.

A letter, of this day, from C. Griffin, was read, expressing his thanks for the confidence reposed in his integrity and abilities, by appointing him one of the judges of the court of appeals, and informing that as he is delegated by the state of Virginia to a different employment, he does not think himself justifiable in a peremptory acceptance of the office, without the approbation of his constituents; but that in the mean while, if Congress shall think proper, he will undertake the business of a judge, and endeavour to pay that attention which so important a commission may require.

The board of admiralty reported the device of a seal for the admiralty of the United States: the arms, thirteen bars mutually supporting each other, alternate red and white, in a blue field, and surmounting an anchor proper. The crest a ship under sail. The motto SUSTENTANS ET SUSTENTATUS. The legend U. S. A. Sigil. Naval.

*Ordered*, That the same be engraved, and used as the seal of the board of admiralty of the United States of America.

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*FRIDAY, May 5, 1780.*

*Resolved*, That the present rates of postage be doubled:

That all masters of packets and other vessels in continental service be, and they are hereby, required to lodge whatever letters they bring from abroad, in the post-office nearest to the port where they shall arrive, and immediately after their arrival:

That the resolution of Congress of the 7th of January last, allowing reasonable expenses to the surveyors while travelling the roads, be and it is hereby repealed,

*Ordered*, That the board of treasury report advances to the postmaster-general, the comptroller and surveyors from time to time, on account of their salaries, and that the salary of the postmaster-general, the comptroller and surveyors, be considered when all other salaries are to be fixed by a new establishment.

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TUESDAY, May 9, 1780.

An appeal from the judgment of a court of admiralty in the state of North-Carolina, on the libel "John Brag, versus sloop Dove," was lodged with the secretary and referred to the court of appeals.

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WEDNESDAY, May 10, 1780.

A letter, of the 9th, from le baron de Beniowsky, was read:

*Ordered*, That the secretary inform le baron de Beniowsky, that the request contained in his letter of the 9th cannot be complied with.

A letter, of this day, from major-general B. Arnold was read, informing that "on examining the report of the board of treasury on his public accounts, he finds himself under the necessity of appealing to the honourable the Congress, and requesting the favour of that honourable body to point out the method of proceeding in appeals from the board of treasury, and to be informed when he can be heard on the subject of the appeal."

*Ordered*, That major-general Arnold be informed he is at liberty to state in writing any objections he may have to the report of the board of treasury on his accounts, and to lay them before Congress.

*Resolved*, That loan-office certificates, destroyed through accident, be renewed at the offices where they first issued, and delivered to the persons who shall appear to have been the holders of them at the time they were destroyed, on the following terms, viz.

1st. That all certificates so destroyed, be advertised immediately in the news-papers of the state where the accident happened; and, if they have been taken out of the loan-office of a different state, in the news-papers of such state also; and in every case where no news-papers are printed in a state, then in one or more of those which circulate most generally therein; which advertisement shall be continued six weeks, and shall contain the numbers, dates, sums, names in which the certificates were taken out, and the time when, the place where, and the means by which they were destroyed.

2d. That a copy of the advertisement be lodged in the loan-office whence the certificates issued, together with such testimony as can be procured, ascertaining the time when, the place where, and the means by which, the destruction happened; which copies and testimonies shall be duly certified by the loan-officer, to be laid by the party claiming the renewal before the board of treasury, who shall finally decide on the sufficiency thereof.

3d. That the party claiming the renewal enter into bond to such loan officer on behalf of the United States, with two or more sufficient freeholders, as securities, in double the amount of the value of the certificates claimed to be renewed, with condition to indemnify the United States against the holders of the certificates said to be destroyed, should any such afterwards appear.

4th. That no certificates be renewed before the expiration of three months after the publication of the advertisement above mentioned.

5th. That where a demand is made by virtue of a letter or warrant of attorney, such letter or warrant be first legally proved and recorded, and an authenticated copy lodged in the loan-office where the demand is made.

6th. That the renewed certificates be of the same tenor and date with those destroyed, and that the payments of interest, where any have been made, be regularly endorsed as they appear on the loan-office books; and that they bear a mark to distinguish them from the originals, which mark shall be entered in the loan-office books.

*Ordered*, That the board of treasury prepare and forward to the respective loan-officers, the form of a bond, with the necessary instructions, to direct them in the execution of the aforesaid resolution; and that they state the sum to be paid by the applicants to the United States for certificates renewed, and the fees to be taken by the loan-officer.

MONDAY, May 15, 1780.

Mr. G. Walton, Mr. E. Telfair, Mr. W. Few, delegates from Georgia, attended and produced their credentials, which were read.

TUESDAY, May 16, 1780.

*Resolved*, That the sum of 3000 dollars, currency of these states, and a bill of exchange for 250 dollars in specie, be paid to captain Paschè, late of count Pulaski's legion, (which being dissolved, Congress have no means of employing captain Paschè, though a deserving officer) to enable him to return to Europe:

A letter, of the 13th, from gen. Washington, and one of this day from major-general the marquis de la Fayette, were read; whereupon,

On motion of Mr. Duane, seconded by Mr. Livingston,

*Resolved*, That Congress consider the return of the marquis de la Fayette to America, to resume his command, as a fresh proof of the disinterested zeal and persevering attachment which have justly recommended him to the public confidence and applause; and that they receive with pleasure a tender of the further services of so gallant and meritorious an officer.

WEDNESDAY, May 17, 1780.

A report from the board of war was read, inclosing a letter from brigadier Knox, recommending the reverend Mr. Samuel Blair to be chaplain to the brigade of artillery; whereupon,

*Resolved*, That the reverend Mr. Samuel Blair be appointed chaplain of the brigade of artillery; and that this appointment have effect as if made on the first day of March, 1779, from which time he has officiated as chaplain to the brigade.

FRIDAY, May 19, 1780.

Congress resumed the consideration of the report of the committee on the memorial of the honourable minister plenipotentiary of France; whereupon,

*Resolved*, That the states of Virginia, Maryland, Delaware, Pennsylvania, New-Jersey, New-York, Connecticut, Rhode-Island, Massachusetts-Bay, and New-Hampshire, be most earnestly called upon to collect and pay into the continental treasury immediately if possible, and at all events within thirty days from this time, 10,000,000 dollars, for the special purpose hereafter mentioned, in the following proportions; the payments to be credited to the said states respectively, on their quotas of money due to the United States to the first day of March last, viz.

Virginia, - - - - -	1,953,200
Maryland, - - - - -	1,234,350
Delaware, - - - - -	132,800
Pennsylvania, - - - - -	1,796,950
New-Jersey, - - - - -	703,950
New-York, - - - - -	585,950
Connecticut, - - - - -	1,329,150
Rhode-Island, - - - - -	156,250
Massachusetts-Bay, - - - - -	1,794,950
New-Hampshire, - - - - -	312,450

10,000,000

*Resolved*, That bills be immediately drawn under the direction of the board of treasury, on the honourable Dr. B. Franklin, for 25,000 dollars, and on the honourable John Jay, for 25,000 dollars, payable at sixty days sight: That they be offered for sale in Massachusetts-Bay, Rhode-Island, Connecticut, Pennsylvania, Maryland and Virginia, in the following proportions, viz.

Massachusetts-Bay, - - - - -	20,000 dollars.
Rhode-Island, - - - - -	3,000 do.
Connecticut, - - - - -	8,000 do.
Pennsylvania, - - - - -	10,000 do.
Maryland, - - - - -	5,000 do.
Virginia, - - - - -	4,000 do.

*Resolved*, That the money to be raised as aforesaid, be appropriated and applied solely to the bringing the army into the field, and forwarding their supplies in such manner as the exigency and nature of the service may require.

*Resolved*, That the committee at head-quarters be directed to expedite the drawing forth the supplies of the states required by the resolution of Congress of the 25th day of February last, as the exigency and nature of the service may require, and the commander in chief shall judge them necessary.

That in case of any extraordinary emergency more of any of the articles enumerated in the said resolution, shall become necessary than is therein provided for, the said committee, with the advice of the commander in chief, do apply to the legislative or executive powers of any of the states aforesaid from New-Hampshire to Virginia, inclusive, as may be most convenient, to have them immediately purchased at the expense of the United States, or otherwise procured on the credit of the same, if necessity shall so require:

That the said committee give directions for procuring any other articles not provided for in the said resolution of the 25th of February,

which the exigency of the service may, in the opinion of the commander in chief, render necessary, direct the proper applications to the civil magistrates of any of the states, for obtaining them in such manner as shall not admit of delay.

That the said committee be also authorised to give assurance where any of the aforesaid articles shall be purchased or otherwise procured on the credit of the United States, that the just value of the same shall be paid, with interest at six per cent. as fast as money can be raised for that purpose.

That the said committee report their proceedings to Congress once a fortnight.

*Resolved*, That the legislatures from New-Hampshire to Virginia, inclusive, be requested to invest their executive authority, or some other persons, with such powers as will enable them, on the application of the committee aforesaid, to draw forth, at this critical period, the resources of the state.

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SATURDAY, May 20, 1780.

*Resolved*, That the several states be earnestly requested to forward their quotas of troops, to join their respective corps of the army, as soon as possible.

—  
MONDAY, May 22, 1780.

A letter, of the 17th, from gen. Washington, and a letter, of March 1, from lieut. col. Fleury, requesting a prolongation of his furlough, were read; whereupon,

*Resolved*, That the furlough heretofore granted to lieut. col. Fleury, be farther extended for the space of nine months.

*Resolved*, That in the opinion of Congress it is highly inexpedient for any of the states to permit the exportation of provisions to foreign parts, until the exigencies of the public service are more fully ascertained and provided for than at present.

That it be most earnestly recommended to the Delaware state, again immediately to lay an embargo on the exportation of provisions from that state, and to continue the same until it shall be consistent with the public safety that the like embargoes should be discontinued in all the United States.

*Ordered*, That a copy of the foregoing resolutions be transmitted to the president of the Delaware state, and also to the president of the supreme executive council of the commonwealth of Pennsylvania, in answer to his letter of the 6th.

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TUESDAY, May 23, 1780.

*Resolved*, That the director-general, or, in his absence, deputy-director-general, of the hospitals in the eastern district, be and he is hereby directed to hire a suitable house at or near the port of New-London, in the state of Connecticut, for the reception of such sick American prisoners as shall, from time to time, be exchanged and landed in that neighbourhood; and that one senior surgeon or physician, and a suitable number of mates, be occasionally employed therein, as the number of sick shall increase or diminish.

WEDNESDAY, May 24, 1780.

The board of treasury, to whom was referred the report of the committee of foreign affairs, relative to Samuel W. Stockton, lately employed by the hon. W. Lee, Esq. late commissioner of the United States, at the courts of Vienna and Berlin, brought in a report, which was taken into consideration; and thereupon,

*Resolved*, That the said Samuel W. Stockton be allowed a salary, at the rate of £.300 sterling per annum, while he was employed by the said William Lee:

That he be debited with the monies which he has received from the said William Lee; and that the whole of the papers be referred to the auditor-general, in order that the account may be liquidated, agreeably to the principles aforesaid.

*Resolved*, That the stile of the court of appeals appointed by Congress, be, "The Court of Appeals in Cases of Capture."

*Resolved*, That the judges and register of the said court, shall respectively take an oath of office before they enter upon the duties of the same.

That the oath of the judges be in the words following, viz.

" YOU do swear or affirm, that you will well, faithfully and impartially execute the office of one of the judges of the court of appeals in cases of capture, according to the best of your skill and judgment. So help you God."

That the oath of the register of the said court shall be in the words following:

" You do swear or affirm, that you will well and faithfully execute the office of register of the court of appeals in cases of capture, according to the best of your skill and judgment. So help you God."

That the judges of the said court shall be qualified in the manner aforesaid, before the president of Congress, and certificates thereof lodged in the office of the secretary of Congress; and that the register shall be qualified before the said judges, and certificate thereof lodged in the said court of appeals.

*Resolved*, That appeals from the courts of admiralty in the respective states, be, as heretofore, demanded within five days after definitive sentence; and in future such appeals be lodged with the register of the court of appeals in cases of capture within forty days thereafter, provided the party appealing shall give security to prosecute such appeal to effect.

*Resolved*, That all matters respecting appeals in cases of capture, now depending before Congress, or the commissioners of appeals, consisting of members of Congress, be referred to the newly erected court of appeals, to be there adjudged and determined according to law; and that all papers touching appeals in cases of capture, lodged in the office of the secretary of Congress, be delivered to and lodged with the register of the court of appeals.

*Resolved*, That the memorial of James Wilson, in behalf of the commissioners of the admiralty of the United States, respecting the Sandwich Packet, and the papers accompanying the said memorial, be transmitted to the said court of appeals.

FRIDAY, May 28, 1780.

*Resolved*, That the request contained in the memorial of John Skey Eustace, late a major in the army of the United States, to be allowed the benefits of the resolution of the 10th of April last, for making good to the army the deficiency of their original pay, occasioned by the depreciation of the continental bills of credit, cannot be granted.

*Resolved*, That the mode of carrying into effect the resolution of Congress of the 21st of April last, respecting an agent or commissary of prisoners, be submitted to the discretion of the commander in chief.

Whereas it is represented that large arrears are due to the inhabitants of sundry of these states for provision, forage, and other articles, furnished by them to the departments of the commissary-general of purchases, and quartermaster-general, for the public service, and for which they have received notes or certificates, signed by persons appointed to purchase the said articles, the payment whereof hath been delayed, to the prejudice of many of the holders, and for which money cannot, in the present circumstances, be issued from the treasury; therefore,

*Resolved*, That it be recommended to the legislatures of the respective states wherein such notes or certificates have been heretofore given, and remain unpaid, to empower the collectors of the continental taxes, due to the first of March last, to receive in payment thereof such notes or certificates, from the persons in whose names they have been given, on the following conditions:

That the persons paying in the said notes or certificates, indorse the same to the collectors, who may receive them, and also take an oath or affirmation, before a magistrate, that they have been obtained for the value and the articles therein expressed, delivered for the use of the United States, and for which no payment hath been made; which oath or affirmation shall be indorsed on each note or certificate;

That in cases when the notes or certificates held by any person, shall exceed the amount of the taxes due from such person, at the time they are paid in, the surplus be credited by the state to such person, and allowed in future taxes, under such checks and securities as the respective legislatures may think best suited to their different modes of collection; and that such surplus bear an interest of six per cent. till thus discounted.

*Resolved*, That the said notes or certificates, so indorsed and received by the collectors as aforesaid, being by the treasurer of such state delivered to the principals of the respective departments, from whom payment is due, or their agents in the city of Philadelphia, and the receipts of the said principals or agents, making the principals accountable for the amount of the notes or certificates paid as aforesaid, being lodged with the board of treasury of the United States; the respective states shall thereupon have credit for the same on their quotas of taxes due to the first of March last; and if the amount shall, in any case, exceed the said quotas, the balances shall be paid to the respective states to whom they may be due:

Provided that nothing contained in the foregoing resolution shall be construed to exonerate any state from the payment of orders already

drawn, or to affect the requisition of Congress of the 19th day of the present month.

SATURDAY, May 27, 1780.

*Resolved*, That the resignation of ensign John M'Guire, of the 3d Maryland regiment, be accepted.

Whereas it appears to Congress, by a representation from the commercial committee, that thirteen invoices of goods have been shipped in the years 1777 and 1778, from Bilboa, by messrs. Gardoqui and sons, by order of Arthur Lee, Esq. in the following vessels, viz. the Lydia, capt. Andrews, Alexander, capt. Williamson, Charlotte, capt. Sinclair, Succels, capt. Gerrish, Neptune, capt. Lee, Tabby, capt. Hodges, John, capt. Woodberry, Wenneby Deal, capt. Vickory, Nancy, capt. Ingersol, George, capt. Knight, Lively, capt. Dupee, Hawk, capt. Smith, and Scorpion, capt. Ivis:

And whereas the said goods were expressed by the invoices to be on account of Elbridge Gerry, Esq. and such part thereof as arrived safe has been received by James Warren, Esq. the public agent, to whom they were addressed:

*Resolved*, That the said Elbridge Gerry, Esq. be indemnified by the United States from any cost or charges that have been or shall be made against him on account of the goods so shipped, and that any claims relative thereto be exhibited to the commercial committee of Congress.

Congress took into consideration the report of the committee appointed to confer with the hon. the minister of France, and thereupon,

*Resolved*, That the board of admiralty be directed to fit for sea, with the utmost expedition, the several ships of war and frigates now in port:

That it be earnestly recommended to the respective states, within whose ports any of the said ships or frigates may be, to afford every assistance to the board of admiralty, on their application for artificers, labourers and materials for preparing the same for sea, and for completing their complement of men.

*Resolved*, That Congress will defray every necessary expense which any state shall incur in consequence of the above resolution.

And whereas it is proper to make provision for repairing any damages which the fleets of our allies may sustain by storms or otherwise:

*Resolved*, That the board of admiralty be directed to cause as many masts, yards and spars as they shall deem necessary for the above purpose, to be procured:

That the board of admiralty be also directed to settle signals with the commanding officers of any ship or ships of our ally which may now or shall hereafter be upon the coasts of the United States.

And for the promoting of harmony and forwarding the common views of France and America;

*Resolved*, That it be recommended to the legislatures of these United States to pass laws for the punishment of such persons as shall encourage desertions from the fleets or armies of any foreign power who shall prosecute the war in America in conjunction with these

United States, and for recovering such deserters as shall endeavour to conceal themselves among the inhabitants.

*Resolved*, That 300 hogsheads of the sugars in the hands of John Bradford, continental agent at Boston, be by him converted into money, and the same transmitted to the continental treasury, without loss of time; notwithstanding any former resolution of Congress to the contrary.

MONDAY, May 29, 1780.

A letter, of the 8th, from president Wears, of the state of New-Hampshire, was read, inclosing an act passed by the legislature of that state, pursuant to the resolutions and recommendations of the 18th of March last:

The delegates of Massachusetts-Bay laid before Congress an act of the legislature of that state, in pursuance of the said resolutions of March 18th.

TUESDAY, May 30, 1780.

Mr. Armstrong, a delegate for Pennsylvania, attended and took his seat in Congress.

A memorial of John McAlister was read, inclosing a copy of the record of his trial and acquittal by the verdict of a jury, upon an indictment for the frauds mentioned in the resolution of Congress of the 22d of June, 1779.

A memorial from the officers of the 5th New-York regiment was read; whereupon,

*Resolved*, That it is not expedient at present to make any partial reduction in the army of the United States.

*Resolved*, That lieut. col. John Bailey be informed, that, from a consideration of all circumstances, Congress do not judge it expedient at present to appoint another brigadier from the line of the troops of Massachusetts-Bay.

WEDNESDAY, May 31, 1780.

A letter, of the 27th, from gen. Washington, and one, of the 28th, from the committee at head-quarters, were read,

*Ordered*, That the letter from gen. Washington be referred to a committee of three:

The members chosen, Mr. Elsworth, Mr. Armstrong and Mr. Duane.

*Ordered*, That the committee be instructed to confer on the subject of the letter with a committee of the general assembly and supreme executive council of Pennsylvania.

*Ordered*, That, on the application of Mr. Gerry, Mr. Holton and Mr. Lovell, delegates for the state of Massachusetts-Bay, a warrant issue on the treasurer, in their favour, for 1800 dollars; the said state to be accountable:

That, on the application of J. Wilkinson, clothier-general, approved by the board of war, a warrant issue on Joseph Borden, commissioner of the continental loan-office for the state of New-Jersey, in his favour, for 54,000 dollars, for the use of the hide department, and for which the said James Wilkinson is to be accountable:

That a warrant issue on Gerard Bancker, treasurer of the state of New-York, in favour of Charles Pettit, assistant-quartermaster-general, on account of Nathaniel Greene, quartermaster-general, for 110,000 dollars (part of the monies raised in the said state for the use of the United States), for the purpose of paying three months pay to the batteau-men who are engaged at Albany, to serve for the campaign; and for which the said Nathaniel Greene is to be accountable.

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THURSDAY, June 1, 1780.

M. Benjamin Huntington, a delegate from the state of Connecticut, attended and took his seat in Congress.

Mr. T. Matlack, a deputy for Pennsylvania, attended, when the credentials of the delegates of that state were read.

The committee to whom was referred the letter, of May 27th, from gen. Washington, and who were directed to confer thereon with a committee of the general assembly and supreme executive council of the state of Pennsylvania, reported the result of their conference, and the measures pursuing by the said state: whereupon,

*Resolved*, That the supplies which any of the states shall, upon requisition for that purpose, furnish of articles not required from them by the resolution of the 25th day of February last, or to a greater amount than is required by the said resolution, shall be credited them in a future requisition of specific supplies from the several states, or in lieu of the like value of other articles, which such states are already called on to furnish, or, at the election of the state, shall be paid for, with interest at six per cent. as fast as money can be procured for that purpose.

*Resolved*, That his excellency governor Livingston, be informed, in answer to his letter of May 16th, that sundry applications have heretofore been made to Congress for relief in cases that are not distinguishable from the case of John Hopper, mentioned in his letter aforesaid, and many cases exist to which the principle advanced by his excellency will apply; but Congress, though deeply affected by their calamities, have not yet found it expedient to enter into a consideration of measures for the particular relief of such sufferers; nor is it probable that the inevitable exigencies of the war will permit Congress to enter into such considerations until peace shall be restored to the United States.

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FRIDAY, June 2, 1780.

Mr. Daniel, of St. Thomas Jenifer, a delegate for the state of Maryland, attended and produced the credentials of his appointment, which were read.

Congress resumed the consideration of the report of the committee on sundry papers respecting the New-Hampshire Grants, and thereupon came to the following resolutions:

Whereas it is represented to Congress, and by authentic evidence laid before them it appears, that the people inhabiting the district of country, commonly known by the name of the New-Hampshire Grants, and claiming to be an independent state, have, notwithstanding the resolutions of Congress of the 24th of September, and 2d of October,

proceeded as a separate government to make grants of lands and sales of estates by them declared forfeited and confiscated; and have also, in divers instances, exercised civil and military authority over the persons and effects of sundry inhabitants within the said district, who profess themselves to be citizens of and to owe allegiance to the state of New-York.

*Resolved*, That the acts and proceedings of the people inhabiting the said district, and claiming to be an independent state as aforesaid, in contravening the good intentions of the said resolutions of the 24th of September and the 2d of October last, are highly unwarrantable, and subversive of the peace and welfare of the United States.

That the people inhabiting the said district, and claiming to be an independent state as aforesaid, be and they hereby are strictly required to forbear and abstain from all acts of authority, civil or military, over the inhabitants of any town or district who hold themselves to be subjects of and to owe allegiance to any of the states claiming the jurisdiction of the said territory, in whole or in part, until the decisions and determinations in the resolution aforementioned shall be made.

And whereas the states of New-Hampshire and New-York have complied with the said resolutions of the 24th of September and the 2d of October last, and by their agents and delegates in Congress declared themselves ready to proceed in supporting their respective rights to the jurisdiction of the district aforesaid, in whole or in part, according to their several claims, and in the mode prescribed in the said resolutions: and whereas Congress, by their order of the 21st of March last, did postpone the consideration of the subject of the said resolutions, nine states exclusive of those who were parties to the question not being represented; and by their order of the 17th of May last have directed that letters be written to the states not represented, requesting them immediately to send forward a representation.

*Resolved*, That Congress will, as soon as nine states exclusive of those who are parties to the controversy shall be represented, proceed to hear and examine into and finally determine the disputes and differences relative to jurisdiction between the three states of New-Hampshire, Massachusetts-Bay and New-York, respectively, or such of them as shall have passed such laws as are mentioned in the said resolutions of the 24th of September and the 2d of October last, on the one part, and the people of the district aforesaid, who claim to be a separate jurisdiction, on the other, in the mode prescribed in and by the said resolutions.

MONDAY, June 5, 1780.

Mr. Whitmill Hill, a delegate from North-Carolina, attended and took his seat in Congress.

Mr. Ezekiel Cornell, a delegate for Rhode-Island and Providence Plantations, attended and produced the credentials of his appointment.

Mr. Ingerfoll, a delegate for Pennsylvania, attended and took his seat in Congress.

*Resolved*, That the board of war be directed to send to the state of North-Carolina 5000 stand of arms, with powder, lead, flints, and other suitable stores, for 10,000 troops.

*Resolved*, That a brevet commission of lieut. col. of cavalry be granted to monsieur Louis Ethis de Corny.

That monsieur de Corny be furnished with letters from the president to the supreme executive powers of the several states, or to such of them as monsieur de Corny shall apply for, requesting their advice and aid to him in procuring provisions and other necessaries for the forces of his most Christian majesty expected to arrive in these United States, in such manner as will best avoid a competition of purchases for the use abovementioned and those for the use of the United States.

That the honourable the minister of France be informed that it is the opinion of Congress that the public service will be best promoted by having the same currency made use of, as far as may be, to procure supplies for the forces of his most Christian majesty, as for those of these United States.

That the governors of Virginia and Maryland be requested immediately to engage trusty persons in these states respectively, at proper distances from each other, on the main road, from Cape Henry in Virginia, to Philadelphia, to hold themselves in readiness, should the French fleet be discovered off that cape or the adjacent coasts, to forward intelligence thereof, and any dispatches that may be received from them to Congress, in the most expeditious manner.

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TUESDAY, June 6, 1780.

Mr. Bee, a delegate for South-Carolina, attended and took his seat in Congress.

*Resolved*, That the board of war be directed to send forward, with all possible expedition, such articles of horse furniture, arms and accoutrements, as may be wanted for the use of the cavalry in the southern army.

*Resolved*, That the resolution of the 5th, directing the board of war to send forward arms and military stores to the state of North-Carolina, be executed for the present only to the extent of 3000 stand of arms and military stores for 6000 troops.

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WEDNESDAY, June 7, 1780.

*Ordered*, That the board of admiralty cause sale to be made, at public auction, of the sloop West-Florida, and pay the proceeds into the treasury of the United States, to be applied to the use of the navy; and that the crew of the said sloop be turned over to the ships of war now fitting out in this harbour.

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THURSDAY, June 8, 1780.

*Resolved*, That John Lawrence and Rhoderick Lawrence be appointed commissioners on the part of the United States, either of them to endorse the bills that shall be emitted by the state of Connecticut, pursuant to the resolution of Congress of the 18th of March last.

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FRIDAY, June 9, 1780.

Nine states being represented, exclusive of New-Hampshire, Massachusetts-Bay and New-York,

A motion was made by Mr. Livingston, seconded by Mr. Scott,

agreeably to the resolution of the 2d instant, to proceed to hear and examine into and finally determine the disputes and differences relative to jurisdiction between the three states of New-Hampshire, Massachusetts-Bay and New-York, respectively, or such of them as shall have passed such laws as are mentioned in the resolutions of the 24th of September and 2d of October last, on the one part, and the people of the district commonly known by the name of the New-Hampshire Grants, who claim to be a separate jurisdiction, on the other, in the mode prescribed in and by the said resolutions.

But it being represented on the part of New-Hampshire, that the agent specially appointed for that business, is not now present, and, from the great distance, cannot soon attend Congress.

On motion of Mr. Walton, seconded by Mr. Folsom,

*Ordered*, That the second Tuesday in September next be assigned to proceed to hear and examine into and finally determine the disputes and differences relative to jurisdiction, between the three states of New-Hampshire, Massachusetts-Bay and New-York, respectively, or such of them as shall have passed such laws as are mentioned in the resolutions of the 24th of September and 2d of October last, on the one part, and the people of the district commonly known by the name of the New-Hampshire Grants, who claim to be a separate jurisdiction, on the other, in the mode prescribed in and by the said resolutions.

*Ordered*, That copies of the aforesaid order be sent to the states of New-York, New-Hampshire and Massachusetts-Bay, and to the people of the district aforesaid.

MONDAY, June 12, 1780.

*Resolved*, That the committee at head-quarters be instructed immediately to give orders for stopping all issues of provisions and forage, except to the army and militia in actual service, and such persons as are attached to the military in camp or on march, under such particular exceptions only as they, on advising with the commander in chief, may judge absolutely indispensable.

That the value of a ration be settled by the board of war, and allowed in money to such as are now entitled to draw from the public stores, and may be precluded for the future in consequence of such orders.

*Resolved*, That the president of the state of Delaware be informed, that the public exigencies require an immediate and decisive answer to the resolution of Congress of the 22d day of May, respecting an embargo on the exportation of provisions from the said state.

Whereas large accounts in the several staff departments in the army are outstanding and unsettled, and it is necessary that they be speedily and finally adjusted, in order that all disbursements may be clearly ascertained and arrears discharged;

*Resolved*, therefore, That two extra chambers of accounts, consisting of two commissioners each, be appointed, to continue in office as long as may be necessary, for the settlement of the said accounts, or any others which may be referred to them.

That the commissioners of the chamber of accounts, be respectively under the direction of the board of treasury, to repair to such posts or

places as the public service may from time to time require, for the purpose of examining and adjusting any of the said accounts.

That, when thus employed, their reasonable travelling charges be allowed, in addition to their pay.

That the pay of the said commissioners respectively be the same as that of those already appointed.

That the board of treasury be authorised to apply to the executive power of any state to appoint a temporary commissioner or commissioners, for the special purpose of joining with a commissioner sent from the said board to receive and liquidate any of the aforesaid accounts within such state, who, being duly qualified before a magistrate, and the qualification lodged in the treasury, shall respectively have the same power, and be entitled to the same emoluments for the time he is in office, as a commissioner of the chambers at the treasury.

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TUESDAY, June 13, 1780.

*Resolved*, unanimously, That major-general Gates immediately repair to and take command in the southern department.

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WEDNESDAY, June 14, 1780.

Mr. Artemas Ward, a delegate for the state of Massachusetts-Bay, attended and took his seat in Congress.

Mr. John Hanson, a delegate for the state of Maryland, attended and produced the credentials of his appointment, which were read.

*Resolved*, That the resignation of captain Levin Handy, of the 5th Maryland regiment, and ensign Samuel Claypoole, of the 1st Pennsylvania regiment, be accepted; the resignation of the former to take place from the 1st of May last.

*Resolved*, That major-general Gates be and he is hereby authorised to call on the states of Virginia, North-Carolina, South-Carolina, and Georgia, for such aids of militia and supplies as he shall deem necessary; and it is recommended to the governments of the said states to comply with such requisitions.

That major-general Gates be and he is hereby authorised to appoint a deputy-adjutant-general, a deputy-paymaster-general, and all other staff officers necessary for the organization of the southern army; the said officers to remain in service until the pleasure of Congress is known.

That major general Gates be and he is hereby authorised and impowered to take such measures, from time to time, for the defence of the southern states as he shall think most proper: and it is earnestly recommended to the governments of the said states to give every assistance in their power for carrying such measures into execution.

*Resolved*, That the board of war be directed to continue their attention to the estimates for advances to the departments of the quartermaster-general and commissary-general of purchases, and military stores, as far as circumstances will admit, in order to enable the board of treasury to decide on the merits of requisitions for such advances, and report thereon to Congress.

A report from the board of treasury was read, enclosing a letter from Eleazer Wales, commissioner of accounts at Albany, wherein he

begs leave to resign his office, and represents the inadequate compensation that has been allowed for his services: whereupon,

*Resolved*, That the resignation of the said Eleazer Wales be accepted, and that the consideration of his pay be postponed until general provision shall be made relieving against the effects of depreciation.

FRIDAY, June 16, 1780.

A report from the board of war, was read: whereupon,

*Ordered*, That brigadier-general Weedon be called into service, and employed in the southern department, as major-general Gates shall direct.

*Ordered*, That colonel Daniel Morgan, of the Virginia line, be called into service, and employed in the southern army as major-general Gates shall direct.

*Resolved*, That Nicholas Gilman, Esq. and John Taylor Gilman, Esq. be appointed commissioners on the part of the United States, either of them to endorse the bills that shall be emitted by the state of New-Hampshire, pursuant to the resolution of Congress of the 18th day of March last.

Congress proceeded to the election of two commissioners of the chambers of accounts, in the room of Mr. Eleazer M'Comb and the late Mr. Muniford; and the ballots being taken,

Mr. Peter R. Fell and Mr. George Measam were elected; the former having been previously nominated by Mr. Houston and the latter by Mr. Scott.

Congress farther proceeded to the election of commissioners for the two extra chambers of accounts, agreeably to the resolution of the 12th, and the ballots being taken, the following gentlemen were chosen, viz.

Mr. Joseph Bullock and Mr. Jonathan Burrall; the former having been previously nominated by Mr. Searle, and the latter by Mr. Burke.

SATURDAY, June 17, 1780.

Whereas it is essential to the due direction of the public affairs, that the superintending power should be intimately acquainted with the measures that have been pursued, in consequence of their resolves, by those on whom, from the nature of the government, the execution of them devolves: and whereas it is equally necessary to examine the source from which the public embarrassments spring:

*Resolved*, That the United States, from New-Hampshire to South Carolina, inclusive, except such of them as have made returns of their transactions, be requested, at this critical juncture, to inform Congress with the utmost expedition, what measures they have taken in consequence of the several resolutions, a list of which is hereunto annexed.

*Ordered*, That the secretary annex to the above resolution a list of the resolutions which have been passed by Congress since the 1st day of January, 1779, requiring from the United States a supply of men, money and provisions, in order to be transmitted herewith to each of the above mentioned states.

*Resolved*, That the executive power of the state of Virginia, be

earnestly requested to order a reinforcement of 5000 militia, including any that may be now in service, to join the southern army with all possible dispatch.

That the executive power of the state of North-Carolina, be earnestly requested to order a reinforcement of 4000 militia, including such as are now in service, to join the said army.

That it be recommended to the state of Virginia to keep in readiness an additional force of 3000 militia: and to the state of North-Carolina, to keep in readiness an additional force of 2000 militia, in order to join the southern army upon the shortest notice.

That no supplies of men, and no provisions except bacon, and so much grain as the executive of the state of Virginia conceive can be spared from the southern army, they bearing in mind that the wants of the grand army are at this time extremely pressing—be removed to the northward of the state of Virginia, until the further order of Congress.

That the monies raised for the use of the United States, in the state of Maryland, and the states to the southward thereof, be appropriated to the supply of the military chest and exigencies of the war in the southern department, until the further order of Congress.

That the board of war be directed to take effectual measures for supplying the said department with all necessary military stores.

MONDAY, June 19, 1780.

Mr. Sherman, a delegate for the state of Connecticut, attended and took his seat in Congress.

*Resolved*, That it be earnestly recommended to the states of Virginia and North-Carolina, to use their utmost exertions to recruit, remount and equip Baylor's and White's regiment of light dragoons, so as to complete them at least 150 rank and file in each regiment:

That it be recommended to gen. Washington, if not incompatible with the service, to order the infantry belonging to major Lee's corps, now in Virginia, to proceed on their route and join the southern army, there to be employed as the commanding officer in that department shall think best.

Congress took into consideration the report of the committee on the representation and petition of John Garcia Duarti; and thereupon,

*Resolved*, That the board of war of Massachusetts-Bay, at Boston, forthwith deliver to the said John Garcia Duarti, or to his order, on request, all the coin deposited in their hands, and all the effects yet unfold, being parts of the cargo of the snew Nostra Senhora de Carmel et Saint Antonio, without charging him any commission thereon;

That the board of war of Massachusetts-Bay, at Boston, do pay, upon demand, to John Bradford, continental agent at Boston, £.18,461 13s. 3d. being the amount of the net proceeds of the aforesaid snew and cargo, sold under their direction by order of Congress of May 11th, 1778, who is hereby directed to purchase bills of exchange on some merchant or banker in Europe, to as great an amount as the sum of £.18,441 13s. 3d. with interest thereon, at 6 per cent. per annum, to the day of buying the said bills, would have purchased at the time of the sale of the snew and cargo aforesaid, and deliver the same to the said John Garcia Duarti,

for the use of his owners; and that the said John Bradford report his proceedings in the premises to Congress, without delay.

*Resolved*, That the bond which Joseph Cunningham gave, at the time he obtained his commission as master or commander of the schooner *Phœnix*, be forthwith put in suit, and that his said commission be thereupon vacated and made void; and that the said Joseph Cunningham be not admitted to hold any commission under the United States on board of any ship or vessel of war, until such time as he shall appear and answer such suit, and satisfy the judgment against him, or procure the same to be reversed or set aside by due course of law; and that the monies recovered on such suit be paid to the said John Garcia Duarti, for the use of his owners:

That the said John Garcia Duarti may also prosecute or cause to be prosecuted an action or actions against the said Joseph Cunningham, late commander of the private armed schooner of war *Phœnix*, the owners of the said schooner, and any person or persons that may be justly deemed guilty of the seizure and capture of the said John Garcia Duarti, with the said snow, her crew and cargo, or any ways accountable for the same, for the benefit and further reparation of the owners of the said snow: such prosecution to be at the expense of the United States.

Congress took into consideration the report of the committee appointed to devise means for the more effectual preventing and punishing the making or uttering counterfeit paper bills, of the similitude of the bills of credit emitted by Congress, and thereupon,

*Resolved*, That if any person or persons shall take and prosecute to conviction, any person who shall prepare, engrave, stamp, forge or print, or cause or procure to be prepared, engraved, stamped, forged or printed, the counterfeit resemblance of any paper bills of credit issued, emitted or made by Congress, or who shall counterfeit or sign the name or names of the signers to any true bills to such counterfeit paper, with the intention that such counterfeit paper shall be passed in payments, or received as genuine and good bills, whether the same be so passed or received or not; or who shall pay or tender in payment any such counterfeit money, or deliver the same to any other person or persons, with an intention that such counterfeit paper be passed, paid or received, as and for good and genuine, knowing the same to be forged or counterfeited; upon every such conviction, and procuring a certificate thereof, under the hands of the judges before whom such conviction shall be had, or either of them, such person or persons shall receive, of the continental loan-officer of the state where such conviction shall be had, the sum of 2000 dollars in the present continental currency, which the said loan-officer is hereby directed and required to pay out of any public money in his hands, and to charge the same to the United States.

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TUESDAY, June 20, 1780.

On motion of the delegates of South-Carolina, pursuant to an application from governor Rutledge, stating the necessity he has been under of purchasing many articles for the use of the troops since he left Charlestown, and requesting, as in the present situation of that

state, he has no other means of paying for the same, than by draughts on Congress, that his draughts may be honoured :

*Resolved*, That the board of treasury, until the further order of Congress, be authorised to accept the bills drawn by governor Rutledge for the above purpose, to be paid at the election of the holder, either in loan-office certificates or in cash, with interest, as soon as the treasury shall be in condition; for which the state of South-Carolina is to be accountable, and that the board of treasury from time to time lay before Congress an account of all such draughts.

*Resolved*, That the general of Martinique, in ordering the cargo of the brig Hope to be sold, and the money to be deposited in the hands of Mr. W. Bingham, till the legality of the capture could be proved, (no courts being at that time instituted for the determining of such captures in that island) shewed the strictest attention to the rights of the claimants and the highest respect to the opinion of Congress :

That Mr. W. Bingham, in receiving the same, only acted in obedience to the commands of the general of Martinique, and in conformity with his duty as agent for the United States.

*Resolved*, That Congress will defray all the expenses that Mr. William Bingham may be put to by reason of the suits now depending, or which may hereafter be brought against him in the state of Massachusetts-Bay, on account of the brig Hope, or her cargo, claimed as prize by the owners, masters and mariners of the private ship of war called the Pilgrim.

And whereas the goods of the said W. Bingham, to a very considerable amount, are attached in the said suits now depending in the hands of the factors of the said W. Bingham, to his great injury :

*Resolved*, That the general court of the state of Massachusetts-Bay, be requested to discharge the property of the said W. Bingham from the said attachment; Congress hereby pledging themselves to pay all such sums of money, with costs of suit, as may be recovered against the said W. Bingham in either or both the above actions.

*Resolved*, That the navy council at Boston be directed to give such security, in the name of the United States, as the court may require, and to direct the council now employed by Mr. Bingham in the defence of the said actions.

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WEDNESDAY, June 21, 1780.

The committee to whom was referred the note from the honourable minister of France, brought in a report, which was read, and thereupon,

*Resolved*, That the minister of France be informed that Congress have used every means in their power to fulfil their engagements of January last; that they have apportioned the quotas of the several states, and called upon them most earnestly to complete the same; that the surrender of Charlestown, and the diversion of our force to the southern department, together with the heavy loss sustained by fatigue and desertion in a long and toilsome march, have for the present considerably weakened the main army; that Congress have endeavoured to replace these deficiencies, by demanding large additional supplies of recruits and militia from the middle and eastern states, to

take the field by the first of July; that their requests have been frequently reiterated in the strongest terms; that they have reason to believe that many of them are making great efforts to comply with their demand; and that they are not without well grounded expectations that the importance of the occasion will awaken all to the most vigorous exertions; that Congress have demanded from each state immediate information of the measures they have adopted in consequence of their requisition; that they hope to be thereby enabled more fully to satisfy the wishes of the minister of France, relative to the matters contained in his memorial; that they do full justice to the solicitude of the minister of France, for the advancement of the mutual interests of his most Christian majesty and these United States, and see with pleasure, in the warmth with which he urges measures evidently calculated for the immediate advantage of these states, the intimacy of the union of the allied powers.

And whereas Congress did, in behalf of the United States, assure his most Christian majesty, by their act of 31st January last, that they would bring into the field 25,000 men, exclusive of officers, and at the same time solicit a naval force to co-operate against the common enemy; and whereas advice has been received from the court of France, that his most Christian majesty, in compliance with the solicitations of Congress, hath not only directed a considerable naval force to repair to North-America, but hath subjoined thereto a respectable body of land forces; and whereas Congress in consequence of their engagements by their act of February last, did call on the several states to complete their quota of troops to the establishment mentioned in the said act; which quota they have since, from the disaster at Charlestown, found it necessary to encrease, and have accordingly approved the requisitions of their committee at head-quarters; and whereas none of the states, whose battalions were deficient, have yet sent on their recruits to complete the same, nor afforded any assurances that the requisitions of Congress, and their committee, will be complied with; and whereas the execution of the above requisition will be extremely hazardous and expensive, unless the further demands of Congress and their committee, for provision, are punctually complied with; therefore,

*Resolved*, That the said states be requested explicitly, and without the least delay, to inform Congress how far they may rely upon their furnishing the several supplies of men, money and provisions called for by Congress or their committee at head-quarters.

And whereas the legislatures of many of the United States are not now convened, though earnestly requested by Congress to continue their sessions, or to vest in some person such powers as would enable them on the requisition of Congress or their committee, to draw forth the military resourses of the state; and whereas Congress are not fully informed whether their magistrates are so empowered:

*Resolved*, That the supreme executive magistrate, in each state, where the legislature is not now convened, be requested immediately to inform Congress what measures they have taken, or empowered to take, in compliance with the above requisitions of Congress, in order that Congress, whose duty it is, may provide that effectual measures

be taken that every state in the union contribute their quota to the common defence.

*Resolved*, That the executive magistrate of every state be requested to correspond weekly with the committee of Congress at head-quarters, advising them of the measures actually taken from time to time in pursuance of the above recited requisitions of Congress and their committee.

A letter of this day from the board of war was read, informing "that a number of patriotic persons have formed a plan for the establishment of a bank, whose object is the public service; that the directors have applied to that board to represent to Congress the desire of the company that a committee of this body may be appointed to confer with the inspectors and directors on the subject to-morrow morning," whereupon,

*Ordered*, That a committee of three be appointed for the purpose above mentioned.

The members chosen, Mr. Ellsworth, Mr. Duane, and Mr. Scott.

THURSDAY, June 22, 1780.

Mr. Willie Jones, a delegate for North-Carolina, attended and produced the credentials of the delegates of that state, which were read.

The committee appointed to confer with the inspectors and directors of the proposed bank, brought in a report, which was read;

The committee also laid before Congress the plan of the bank, communicated to them at the said conference, which being read, Congress thereupon came to the following resolutions:

Whereas a number of the patriotic citizens of Pennsylvania, have communicated to Congress a liberal offer, on their own credit and by their own exertions, to supply and transport three millions of rations and 300 hogsheads of rum for the use of the army, and have established a bank for the sole purpose of obtaining and transporting the said supplies, with greater facility and dispatch: and whereas, on the one hand the associators, animated to this laudable exertion by a desire to relieve the public necessities, mean not to derive from it the least pecuniary advantage, so on the other, it is just and reasonable that they should be fully reimbursed and indemnified; therefore,

*Resolved*, unanimously, That Congress entertain a high sense of the liberal offer of the said associators to raise and transport the before-mentioned supplies for the army, and do accept the same as a distinguished proof of their patriotism.

*Resolved*, That the faith of the United States, be and the same hereby is pledged to the subscribers to the said bank, for their effectual reimbursement and indemnity in the premises.

*Resolved*, That the board of treasury be directed to deposit in the said bank bills of exchange in favour of the directors thereof, on the ministers of these United States, in Europe or any of them, and in such sums as shall be thought convenient, but not to exceed in the whole £.150,000 sterling; that the said bills are to be considered not only as a support of the credit of the said bank, but as an indemnity to the subscribers for all deficiencies of losses and expences which they may sustain on account of their said engagements, and which shall

not, within six months from the date hereof, be made good to them out of the public treasury; and in case of failure, such a proportion of the said bills as shall be requisite to make good the said deficiency shall be negotiated for that purpose by the said directors, and the residue thereof returned into the treasury.

*Resolved*, That, upon representation made that the bank stands in need of occasional assistance, Congress will advance as much of their current money as can be spared from other services.

*Resolved*, That a standing committee of Congress be appointed to confer with the officers of the said bank, as occasion may require.

The members chosen, Mr. Ellsworth, Mr. Duane and Mr. Scott.

*FRIDAY, June 23, 1780.*

Mr. Henry, a delegate from Maryland, attended and took his seat in Congress.

*Ordered*, That an extract of the letter, of the 20th, from gen. Washington, be sent by express to each of the states, from New-Hampshire to Maryland, inclusive, and that the executive powers be most earnestly requested to forward on the supplies of men and provision with the utmost expedition, and transmit to Congress and the committee at head-quarters, with all possible dispatch, an account of the proceedings of their respective states, on which the commander in chief can rely, and by which he may be enabled to regulate his future operations.

A letter, of the 22d, from major general Lincoln, was read, informing Congress of his arrival in Philadelphia, and that, stimulated by the double motive of regard to the honour of Congress and his own reputation, he embraces the earliest opportunity of requesting that, agreeably to the resolution of November 28th, 1777, an enquiry may be immediately made into the causes of the loss of Charlestown, which has been announced to Congress, and into his conduct as principal officer at that post when it was given up: whereupon,

*Resolved*, That the commander in chief be directed, as soon as circumstances shall admit, to cause an enquiry to be made into the loss of Charlestown, in South-Carolina, and into the conduct of the said major gen. Lincoln, late commanding officer in the southern department, and cause the proceedings of the court of enquiry to be laid before Congress.

*Resolved*, That the honourable M. Weare, president of New-Hampshire, be informed, that the pressing exigencies of the United States will not admit of the least deduction from the public revenue at present; that Congress cannot now liquidate the accounts of the state of New-Hampshire or any other state with the United States; but that due attention will be paid to the claims of New-Hampshire whenever the circumstances of public affairs of a more serious nature will enable them to take them into consideration.

Whereas it has been represented, in order to seduce the citizens of South-Carolina and Georgia from their allegiance to these United States, that a treaty of peace between America and Great-Britain was about to take place, in which these two states would be ceded to Great-Britain:

*Resolved* unanimously, That the said report is insidious and utterly void of foundation.

That this confederacy is most sacredly pledged to support the liberty and independence of every one of its members; and, in a firm reliance on the divine blessing, will unremittingly persevere in their exertions for the establishment of the same, and also in the recovery and preservation of any and every part of these United States that has been or may hereafter be invaded or possessed by the common enemy.

Congress proceeded to the election of two commissioners of the board of admiralty, and the ballots being taken,

Mr. William Ellery and Mr. Thomas Woodford were elected,

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SATURDAY, June 24, 1780.

The medical committee brought in a report: whereupon,

*Resolved*, That the medical committee be authorised to take proper measures for the sustenance and relief of the sick in this city, as well belonging to the army and navy of these states, as to those of our ally.

The committee to whom was referred the letter from the chambers of accounts, respecting certain directions given to them by the board of treasury, report,

That, by the ordinance for establishing a board of treasury and the proper officers for managing the finances of these United States, passed the 30th day of July, 1779, the board of treasury are entrusted with the general superintendance of the finances of these United States, and are required to see that all public debtors are brought to account, frauds detected, and defaulters punished; they are likewise empowered to instruct in their duty all officers concerned in the finances and accounts, and to suspend any of them for negligence or misdemeanor, until the pleasure of Congress is known; where objections shall be discovered against the reports of the commissioners or auditors, the board of treasury are to correct their errors; and where the commissioners or auditors may be in doubt, to instruct them; and it is provided, that all orders and instructions to the chambers of accounts and auditors of the army, shall be communicated through the auditor general.

From this review of the ordinance the committee observe,

That the board of treasury are made immediately responsible for the settlement of the public accounts, and that they are invested with a general superintending power over the chambers of accounts; that it is necessary to the execution of this high trust, that reasonable hours of office be assigned by the chambers, and publicly notified, that the board of treasury, as well as the public accountants, may know when to have recourse to them for the dispatch of public business; that the board of treasury, being expressly required to call public debtors to account, and to detect frauds, authority to direct the settlement of one account in preference to another, is necessarily implied; and it is the duty of the chambers to inform the board of treasury, whenever required, of their progress in the settlement of any of the public accounts.

It is also the opinion of the committee,

That the said chambers are bound to observe such general instructions, for correcting errors, removing doubts, and facilitating the settlement of the public accounts, as shall be given to them by the

board of treasury, conforming themselves, as far as possible, to fixed and established rules for administering justice equally and impartially between accountants and the public.

*Resolved*, That Congress agree to the said report.

MONDAY, June 26, 1780.

A letter, of the 26th, from W. Ellery was read, signifying his acceptance of the office of commissioner of the board of admiralty.

A report from the board of war was read; whereupon,

*Resolved*, That monsieur du Conture be appointed a cornet in the legion commanded by colonel Armand, to take rank as such from the last day of July, 1779, when he was appointed by the late general count Pulaski to do the duty of cornet in the legion then under his command.

Whereas it is represented by the medical committee, that difficulties arise in the hospital department, from the arrest of the director-general:

*Resolved*, therefore, That the medical committee be and are hereby authorised to take proper measures for carrying on the business of the said department, and that all medical gentlemen and others attached to the said department, pay obedience to the orders of the said committee.

WEDNESDAY, June 28, 1780.

Congress resumed the consideration of the report of the committee on loan-office certificates.

Whereas Congress, on the 18th day of April last, resolved in the words following, viz. That Congress will, as soon as may be, make such provision for discharging or continuing the loans that have been made to these United States on loan-office certificates, so as that the holders of them shall sustain no loss thereon by any depreciation of the bills loaned subsequent to the respective dates of the said certificates; therefore,

*Resolved*, That the principal of all loans that have been made to these United States, shall finally be discharged, by paying the full current value of the bills when loaned, which payments shall be made in Spanish milled dollars, or the current exchange thereof, in other money, at the time of payment.

That the value of the bills when loaned, shall be ascertained for the purpose above mentioned, by computing thereon a progressive rule of depreciation, commencing with the 1st day of September, 1777, and continuing to the 18th day of March, 1780, in geometrical proportion to the time, from period to period, as hereafter stated, assuming the depreciation at the several periods to be as follows, viz.

On the 1st day of March, 1778, one dollar and three quarters of a dollar of the said bills, for one Spanish milled dollar; on the 1st of September, 1778, as four of the former for one of the latter; on the 1st of March, 1779, as ten of the former for one of the latter; on the 1st day of September, 1779, as eighteen of the former for one of the latter; and on the 18th day of March, 1780, as forty of the former for one of the latter:

That the principal of all certificates that have been taken out since

the 18th day of March last, shall be discharged at the rate of one Spanish milled dollar, or the current exchange thereof in other money at the time of payment, for forty dollars of the said bills of credit received on loan.

That the principal of all certificates that shall hereafter be taken out, until the further order of Congress, be discharged at the same rate and in the same manner as those that have been taken out since the 18th day of March last.

That the interest on all loan-office certificates, at the rate of 6 per cent. per annum, computed on the principal ascertained as aforesaid, shall be discharged annually, in like manner as the principal, until the principal shall be paid; provided nevertheless, that the same interest and mode of payment on certificates taken out before the 1st day of March, 1778, shall be continued as at present, until the principal ascertained as aforesaid be ready to be discharged.

*Ordered*, That the board of treasury prepare the proper tables for direction of the commissioners of the continental loan-offices in the several states in paying off the principal and interest of loans, agreeably to the foregoing resolutions.

*Resolved*, That the purchase of clothing for the use of the army, made by Otis and Henly, at Boston, on the 13th day of January last, as agents appointed by the board of war for that purpose, be confirmed; and that the board of treasury agree with David Henly on the best mode of payment, taking care that as large a portion as possible be paid in loan-office certificates.

That an interest of 6 per cent. per annum, be allowed on such part as cannot be immediately discharged, until payment is made.

THURSDAY, June 29, 1780.

Mr. S. Adams, a delegate of Massachusetts-Bay, attended and took his seat in Congress.

The committee on the post-office, to whom was referred the letter of the 15th from governor Jefferson, of Virginia, brought in a report; whereupon,

*Resolved*, That Congress approve the line of communication which governor Jefferson, as it appears by his letter of the 15th, is forming, by express, southward and northward, and that the same be continued until the further order of Congress.

*Resolved*, That Nathaniel Appleton, and Joseph Henderson, Esq'rs, be appointed commissioners on the part of the United States, either of them to endorse the bills that shall be emitted by the state of Massachusetts-Bay, pursuant to the resolution of Congress of the 18th of March last.

FRIDAY, June 30, 1780.

*Resolved*, That Thomas Harwood and Benjamin Harwood, Esq'rs, be appointed commissioners on the part of the United States, either of them to endorse the bills that shall be emitted by the state of Maryland, pursuant to the resolution of Congress of the 18th day of March last.

*Resolved*, That lieutenant Conolly Coan, of the 62d British regi-

ment, captured at Saratoga, be permitted to return to Ireland, his native country, upon parole, for the benefit of his health.

The committee on the post-office brought in a report; whereupon, Ordered, That the committee on the post-office give directions to the postmaster-general, that the southern postriders be so regulated as to arrive at the place where Congress is sitting, only once a week while the line of express, established by governor Jefferson between the northern and southern armies, is kept up.

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SATURDAY, July 1, 1780.

Whereas Congress have thought proper to erect a monument to the memory of major-general Warren, in consideration of his distinguished merit and bravery, and to make provision for the education of his eldest son; and whereas it appears no adequate provision can be made out of his private fortune for the education and maintenance of his three younger children: therefore,

Resolved, That it be recommended to the executive of Massachusetts-Bay to make provision for the maintenance and education of the said three children of the late major-general Warren.

Resolved, That Congress will defray the expense thereof, to the amount of the half-pay of a major-general, to commence at the time of his death, and continue until the youngest of the said children shall be of age.

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MONDAY, July 3, 1780.

A letter, of June 29th, from Joseph Bullock, was read, informing that he was under the necessity of declining the honour Congress intended him by appointing him a commissioner of the extra chambers of accounts.

Resolved, That the line of communication by expresses, formed by governor Jefferson, be continued, by the board of war, from Philadelphia to head-quarters.

Ordered, That two members be added to the committee appointed to confer with the directors and inspectors of the proposed bank, in the room of Mr. Duane and Mr. Ellsworth, who are absent.

The members chosen, Mr. Livingston and Mr. Adams.

It being of the utmost importance, more especially at this critical juncture, that the most speedy and accurate intelligence should be had of the movements of the enemy, by sea as well as by land: therefore,

Resolved, That the board of admiralty be and they are hereby directed to take the most effectual means in their power for obtaining, from time to time, certain intelligence of the arrival of the enemy's ships of war into any port or ports of North-America, the number of their guns, and the condition they may be in, together with such movements as they may make from one port to another, that this Congress may be duly and exactly informed of the naval strength and situation of the enemy, and be able to communicate such information to our ally as the common welfare shall require: and the said board are particularly directed to obtain the earliest intelligence of the arrival of any ships of war in or near the port of New-York.

*THURSDAY, July 6, 1780.*

Mr. Richard Howley, a delegate for the state of Georgia, attended and produced the credentials of his appointment, which were read.

*Resolved*, That the board of treasury be authorised to accept, without advice, such bills, drawn by major-general Lincoln on the president of Congress, as, in their discretion, shall be deemed proper, and may have been or hereafter may be presented within one month from this date, at which time it is expected a complete and accurate return of the bills aforesaid will be made by general Lincoln.

Congress resumed the consideration of the report of the committee for foreign affairs, on the letter, of the 1<sup>st</sup>, from Mr. Laurens, wherein they report, as their opinion,

That it is highly expedient that the hon. Mr. Laurens do repair to Europe, without loss of time, in order to enter on the discharge of the commission to negotiate a loan, to which he has been appointed by Congress.

*Resolved*, That Congress agree to the said report.

*FRIDAY, July 7, 1780.*

*Resolved*, That the board of treasury be directed to furnish Mr. Laurens with bills on France to the amount of £. 1000 sterling, on account of his salary, out of those bills ordered to be drawn by the resolution of the 19<sup>th</sup> of May last.

*MONDAY, July 10, 1780.*

A report from the board of war was read; whereupon Congress came to the following resolution:

Captain Walker Baylor, of colonel Baylor's regiment of light dragoons, having desired leave to resign his commission,

*Resolved*, That his resignation be accepted.

*Resolved*, That all clothing arriving from Europe, belonging to the United States, be delivered at the port of arrival, to the agents appointed by the board of war to receive them, without passing through the hands of the continental agents for prizes; any former order of Congress to the contrary notwithstanding.

That the board of war take order for the reception of the said clothing, and give such instructions to their agents, on all matters relative thereto, as shall, in the opinion of the said board, be most conducive to the public interest.

*Resolved*, That the board of treasury be authorised to allow interest on the bills drawn by major-general Lincoln, when payment is made in loan-office certificates, in the same manner as directed by the resolution of Congress of the 23<sup>d</sup> of March last, where payment is to be made in current money.

*Resolved*, That the superintending boards have an undoubted right to repeal and countermand, alter, amend and renew any order officially issued and delivered to the executive officers in their departments, respectively: but it is not expedient, nor have they a right, to recall any order after the same is delivered at the proper office, though it should not have been executed; in cases where it is necessary to cor-

rect an order, it ought to be renewed, the original still remaining in the hands of the officer to whom it was directed, as his voucher.

*Resolved*, For special reasons, that the board of war, do take the most speedy measures for the exchange of lieutenant-colonel John Laurens, one of gen. Washington's family, and now a prisoner of war on parole.

TUESDAY, July 11, 1780.

*Ordered*, That the committee of intelligence cause to be published the resolution of May 5th, 1778, respecting the 11th and 12th articles of the treaty of amity and commerce between his most Christian majesty and these United States, and a copy of the said treaty as finally ratified.

The resolution of May 5, 1778, is as follows:

*Resolved*, That the commissioners, or any one of them representing these states at the court of France, be instructed to inform that court, that although Congress have readily ratified the treaties of amity and commerce, and treaty of alliance, and the act separate and secret, between his most Christian majesty and these United States, in order to evince more clearly their sense of the magnanimity and goodness of his most Christian majesty, evidenced in the said treaties; yet from a sincere desire of rendering the friendship and alliance so happily begun, permanent and perpetual; and being apprehensive that differences may arise from the 11th and 12th articles, in the treaty of amity and commerce, Congress are desirous that the said 11th and 12th articles may be revoked and utterly expunged. The commissioners or any of them, are therefore instructed to use their best endeavours to procure the abolition of the said 11th and 12th articles of the said treaty.

In consequence of the foregoing representation, the following declarations were made, and signed in behalf of his most Christian majesty, and of the United States of America.

#### A DECLARATION OF THE KING.

THE Congress of the United States of North-America having represented to the king, that the execution of the 11th article of amity and commerce, signed the 6th of February last, may be attended with inconveniences, and having, in consequence thereof, desired that that article may be expunged, agreeing on their part, that the 12th article shall be considered in the same manner as null and void: His majesty, in order to give the United States of North-America a new proof of his affection, as well as his desire to confirm the union and good correspondence established between the two states, has been pleased to pay a regard to their representations—accordingly he hath declared and by these presents doth declare, that he consents to the suppression of the 11th and 12th articles above mentioned, and that his intention is, that they be considered as if never comprehended in the treaty signed the 1st of February last.—Done at Versailles, the 1st day of September, one thousand seven hundred and seventy-eight.

(Signed)

GRAVIER DE VERGENNES.  
DECLARATION.

THE most Christian King having been pleased to regard the representations made to him by the general Congress of North-America,

relating to the 11th article of the treaty of commerce; signed the 6th of February in the present year; and his majesty having therefore, consented that the said article should be suppressed, on condition that the 12th article of the same treaty be equally regarded as of none effect, the above said general Congress hath declared on their part, and do declare, that they consent to the suppression of the 11th and 12th articles of the above mentioned treaty, and that their intention is, that these articles be regarded as having never been comprised in the treaty signed the 6th of February.—In faith whereof, &c.

*Signed by*

B. FRANKLIN,  
ARTHUR LEE,  
JOHN ADAMS,

The treaty, as it now stands, is as follows:

The Congress of the United States of New-Hampshire, Massachusetts-Bay, Rhode-Island, and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, by the grace of God sovereign, free and independent, to all who shall see these presents, greeting:

WHEREAS, in and by our commission, dated at Philadelphia the 30th day of September, in the year of our Lord one thousand seven hundred and seventy-six—Benjamin Franklin, one of the delegates in Congress from the state of Pennsylvania, and president of the convention of the said state, &c. Silas Deane, late a delegate from the state of Connecticut, and Arthur Lee, barrister at law, were nominated and appointed our commissioners, with full powers to treat, agree and conclude with his most Christian majesty the king of France, or with such person or persons as should be by him for that purpose authorised, of and upon a true and sincere friendship, and a firm, inviolable and universal peace, for the defence, protection and safety of the navigation and mutual commerce of the subjects of his most Christian majesty and the people of the United States, we promising in good faith to ratify whatsoever our said commissioners should transact in the premises: And whereas our said commissioners, in pursuance of their full powers, on the 6th day of February last, at Paris, with Conrad Alexander Gerard, royal syndic of the city of Straßburg, secretary of his most Christian majesty's council of state, by virtue of powers plenipotentiary to him granted by his most Christian majesty, and dated the 30th day of January, in the year of our Lord one thousand seven hundred and seventy-eight, did conclude and sign, on the part of the crown of France, and of the United States of America, a treaty of amity and commerce, in the following words:

#### TREATY OF AMITY AND COMMERCE.

THE most Christian king and the thirteen United States of North-America, viz. New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, willing to fix, on an equitable and permanent manner, the rules which ought to be followed, relative to the correspondence and commerce which the two parties desire to establish between their respective countries, states and subjects, his most Christian majesty and the said United States,

have judged that the said end could not be better obtained than by taking for the basis of their agreement the most perfect equality and reciprocity, and by carefully avoiding all those burdensome preferences which are usually sources of debate, embarrassment and discontent, by leaving also each party at liberty to make, respecting navigation and commerce, those interior regulations which it shall find most convenient to itself; and by founding the advantage of commerce solely upon reciprocal utility and the just rules of free intercourse, reserving withal, to each party, the liberty of admitting at its pleasure other nations to a participation of the same advantages. It is in the spirit of this intention, and to fulfil these views, that his said majesty, having named and appointed for his plenipotentiary Conrad Alexander Gerard, royal syndic of the city of Strasburg, secretary of his majesty's council of state, and the United States on their part having fully empowered Benjamin Franklin, deputy from the state of Pennsylvania to the general Congress, and president of the convention of said state—Silas Deane, late deputy from the state of Connecticut, to the said Congress—and Arthur Lee, counsellor at law—the said respective plenipotentiaries, after exchanging their powers, and after mature deliberation, have concluded and agreed upon the following articles :

*Art. 1.* THERE shall be a firm, inviolable and universal peace, and a true and sincere friendship between the most Christian king, his heirs and successors, and the United States of America, and the subjects of the most Christian king and of the said states, and between the countries, islands, cities and towns, situate under the jurisdiction of the most Christian king, and of the said United States, and the people and inhabitants of every degree without exception of persons or places, and the terms hereinafter mentioned, shall be perpetual between the most Christian king, his heirs and successors, and the said United States.

*Art. 2.* The most Christian king and the United States engage mutually not to grant any particular favour to other nations in respect of commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same favour freely, if the concession was freely made, or on allowing the same compensation if the concession was conditional.

*Art. 3.* The subjects of the most Christian king shall pay in the ports, havens, roads, countries, islands, cities or towns of the United States, or any of them, no other or greater duties or imposts, of what nature soever they may be, or by what name soever called, than those which the nations most favoured are or shall be obliged to pay, and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, whether in passing from one port in the said states to another, or in going to and from the same, from and to any part of the world, which the said nations do or shall enjoy.

*Art. 4.* The subjects, people and inhabitants of the said United States, and each of them, shall not pay in the ports, havens, roads, isles, cities and places under the domination of his most Christian majesty, in Europe, any other or greater duties or imposts, of what nature soever they may be, or by what name soever called, than those which the most favoured nations are or shall be obliged to pay, and

they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, whether in passing from one port in the said dominions in Europe to another, or in going to and from the same, from or to any part of the world, which the said nations do or shall enjoy.

Art. 5. In the above exemption is particularly comprised the imposition of one hundred sous per ton, established in France, on foreign ships, unless when the ships of the United States shall load with the merchandize of France for another port of the same dominion, in which case the said ships shall pay the duty above mentioned, so long as other nations the most favoured shall be obliged to pay it; but it is understood that the said United States, or any of them, are at liberty, when they shall judge it proper, to establish a duty equivalent in the same case.

Art. 6. The most Christian king shall endeavour, by all the means in his power, to protect and defend all vessels, and the effects belonging to the subjects, people or inhabitants of the said United States, or any of them, being in his ports, havens or roads, or on the seas near to his countries, islands, cities or towns, and to recover and restore to the right owners, their agents or attorneys, all such vessels and effects which shall be taken within his jurisdiction, and the ships of war of his most Christian majesty, or any convoy failing under his authority, shall upon all occasions take under their protection all vessels belonging to the subjects, people or inhabitants of the said United States or any of them, and holding the same course or going the same way, and shall defend such vessels as long as they hold the same course, or go the same way, against all attacks, force or violence, in the same manner as they ought to protect and defend the vessels belonging to the subjects of the most Christian king.

Art. 7. In like manner the said United States and their ships of war, failing under their authority, shall protect and defend conformably to the tenor of the preceding article, all the vessels and effects belonging to the subjects of the most Christian king, and use all their endeavours to recover and cause to be restored the said vessels and effects that shall have been taken within the jurisdiction of the said United States or any of them.

Art. 8. The most Christian king will employ his good offices and interposition with the king or emperor of Morocco, or Fez, the regencies of Algiers, Tunis and Tripoli, or with any of them, and also with every other prince, state or power, of the coast of Barbary, in Africa, and with the subjects of the said king, emperor, states and powers, and each of them, in order to provide as fully and efficaciously as possible for the benefit, conveniency, and safety of the said United States, and each of them, their subjects, people and inhabitants and their vessels and effects, against all violence, insult, attacks, or depredations, on the part of the said princes and states of Barbary, or their subjects.

Art. 9. The subjects, inhabitants, merchants, commanders of ships, masters and mariners of the states, provinces, and dominions of each party respectively, shall abstain and forbear to fish in all places possessed, or which shall be possessed by the other party. The most Christian king's subjects shall not fish in the havens, bays, creeks, roads,

coasts or places, which the said United States hold, or shall hereafter hold, and in like manner the subjects, people and inhabitants of the said United States shall not fish in the havens, bays, creeks, roads, coasts or places, which the most Christian king possesses or shall hereafter possess, and if any ship or vessel shall be found fishing contrary to the tenor of this treaty the said ship or vessel, with its lading, proof being made thereof, shall be confiscated. It is however understood that the exclusion stipulated in the present article shall take place only so long and so far as the most Christian king or the United States shall not in this respect have granted an exemption to some other nation.

Art. 10. The United States, their citizens and inhabitants, shall never disturb the subjects of the most Christian king in the enjoyment and exercise of the right of fishing on the banks of Newfoundland, nor in the indefinite and exclusive right which belongs to them on that part of the coast on that island, which is designed by the treaty of Utrecht, nor in the rights relative to all and each of the isles which belong to his most Christian majesty, the whole conformable to the true sense of the treaties of Utrecht and Paris.

(Articles 11th and 12th suppressed.)

Art. 13. The subjects and inhabitants of the said United States, or any one of them, shall not be reputed aubenes in France, and consequently shall be exempted from the droit d'aubene, or other similar duty under what name soever; they may by testament, donation or otherwise, dispose of their goods moveable and immoveable in favour of such persons as to them shall seem good, and their heirs subjects of the said United States, residing whether in France or elsewhere, may succeed them, *ab intestat* without being obliged to obtain letters of naturalization and without having the effects of this concession contested or impeded under pretext of any rights or prerogatives of provinces, cities, or private persons; and the said heirs whether such by particular title or *ab intestat*, shall be exempt from all duty, called droit de detraction, or other duty of the same kind, saving nevertheless the local rights or duties, as much and as long as similar ones are not established by the United States or any of them. The subjects of the most Christian king, shall enjoy on their part, in all the dominions of the said states an entire and perfect reciprocity relative to the stipulations contained in the present article. But it is agreed at the same time, that its contents shall not affect the laws made, or that may be made hereafter in France, against emigrations, which shall remain in all their force and vigour, and the United States on their part, or any of them, shall be at liberty to enact such laws relative to that matter as to them shall seem proper.

Art. 14. The merchant ships of either of the parties which shall be making into a port belonging to the enemy of the other ally, and concerning whose voyage and the specified goods on board them, there shall be just grounds of suspicion, shall be obliged to exhibit, as well upon the high seas, as in the ports and havens, not only their passports, but likewise certificates, expressly shewing that their goods are not of the number of those which have been prohibited as contraband.

Art. 15. If by the exhibiting of the above said certificates, the

other party discover there are any of those sort of goods which are prohibited and declared contraband, and consigned for a port under the obedience of his enemy it shall not be lawful to break up the hatches of such ship, or to open any chest, coffers, packs, casks, or any other vessels, found therein, or to remove the smallest parcels of her goods, whether such ship belongs to the subjects of France, or the inhabitants of the said United States, unless the lading be brought on shore in the presence of the officers of the court of admiralty, and an inventory thereof made; but there shall be no allowance to sell, exchange, or alienate the same in any manner, until after that due and lawful process shall have been had against such prohibited goods, and the court of admiralty shall, by a sentence pronounced, have confiscated the same, saving always as well the ship itself, as any other goods found therein, which by this treaty are to be esteemed free; neither may they be detained on pretence of their being as it were, infected by the prohibited goods, much less shall they be confiscated as lawful prize: But if not the whole cargo, but only part thereof shall consist of prohibited or contraband goods, and the commander of the ship shall be ready and willing to deliver them to the captor, who has discovered them, in such case, the captor having received those goods, shall forthwith discharge the ship, and not hinder her by any means, freely to prosecute the voyage on which she was bound;—but in case the contraband merchandize cannot be all received on board the vessel of the captor, then the captor may, notwithstanding the offer of delivering him the contraband goods, carry the vessel into the nearest port agreeable to what is above directed.

Art. 16. On the contrary it is agreed, that whatever shall be found to be laden by the subjects and inhabitants of either party, on any ship belonging to the enemies of the other, or to their subjects, the whole, although it be not of the sort of prohibited goods, may be confiscated in the same manner as if it belonged to the enemy, except such goods and merchandize as were put on board such ship before the declaration of war, or even after such declaration, if so be it were done without the knowledge of such declaration, so that the goods of the subjects and people of either party, whether they be of the nature of such as are prohibited, or otherwise, which, as is aforesaid, were put on board any ship belonging to an enemy before the war or after the declaration of the same, without the knowledge of it, shall no ways be liable to confiscation, but shall well and truly be restored without delay to the proprietors demanding the same, but so as that, if the said merchandises be contraband, it shall not be any ways lawful to carry them afterwards to any ports belonging to the enemy. The two contracting parties agree that the term of two months being passed after the declaration of war, their respective subjects from whatever part of the world they come, shall not plead the ignorance mentioned in this article.

Art. 17. And that more effectual care may be taken for the security of the subjects and inhabitants of both parties, that they suffer no injury, by the men of war or privateers of the other party, all the commanders of the ships of his most Christian majesty and of the said United States, and all their subjects and inhabitants shall be forbid doing any injury or damage to the other side, and if they a<sup>t</sup>t<sup>e</sup> to the

contrary they shall be punished, and shall moreover be bound to make satisfaction for all matter of damages and the interest thereof by reparation under the pain and obligation of their persons and goods.

*Art. 18.* All ships and merchandize of what nature soever, which shall be rescued out of the hands of any pirates or robbers on the high seas, shall be brought into some port of either state, and shall be delivered to the custody of the officers of that port in order to be restored entire to the true proprietor as soon as due and sufficient proof shall be made concerning the property thereof.

*Art. 19.* It shall be lawful for the ships of war of either party, and privateers, freely to carry whither soever they please, the ships and goods taken from their enemies, without being obliged to pay any duty to the officers of the admiralty, or any other judges; nor shall such prizes be arrested or seized when they come to and enter the ports of the other party, nor shall the searcher or other officers of those places search the same, or make examination, concerning the lawfulness of such prizes, but they may hoist sail at any time and depart, and carry their prizes to the places expressed in their commissions, which the commanders of such ships of war shall be obliged to shew; on the contrary, no shelter or refuge shall be given in their ports to such as shall have made prize of the subjects, people, or property, of either of the parties; but if such shall come in, being forced by stress of weather, or the danger of the sea, all proper means shall be vigorously used that they go out and retire from thence as soon as possible.

*Art. 20.* If any ship belonging to either of the parties, their people or subjects shall, within the coasts or dominions of the other, stick upon the sands, or be wrecked, or suffer any other damage, all friendly assistance and relief shall be given to the persons shipwrecked, or such as shall be in danger thereof. And letters of safe conduct shall likewise be given to them for their free and quiet passage from thence, and the return of every one to his own country.

*Art. 21.* In case the subjects and inhabitants of either party, with their shipping, whether public and of war, or private, and of merchants, be forced, through stress of weather, pursuit of pirates or enemies, or any other urgent necessity for seeking of shelter and harbour to retreat and enter into any of the rivers, bays, roads or ports, belonging to the other party, they shall be received and treated with all humanity and kindness, and enjoy all friendly protection and help, and they shall be permitted to refresh and provide themselves at reasonable rates with victuals and all things needful for the sustenance of their persons, or reparation of their ships, and convenience of their voyage; and they shall no ways be detained or hindered from returning out of the said ports or roads, but may remove and depart when and whither they please, without any let or hindrance.

*Art. 22.* For the better promoting of commerce on both sides, it is agreed, that if a war should break out between the two nations, six months after the proclamation of war shall be allowed to the merchants in the cities and towns where they live, for selling and transporting their goods and merchandises; and if any thing be taken from them, or any injury be done them within that term by either party, or the people or subjects of either, full satisfaction shall be made for the same.

*Art. 23.* No subjects of the most Christian king shall apply for or take any commission or letters of marque, for arming any ship or ships to act as privateers against the said United States, or any of them, or against the subjects, people or inhabitants of the said United States, or any of them, or against the property of any of the inhabitants of any of them, from any prince or state, with which the said United States shall be at war; nor shall any citizen, subject, or inhabitant of the said United States, or any of them, apply for or take any commission or letters of marque, for arming any ship or ships to act as privateers against the subjects of the most Christian king, or any of them, or the property of any of them, from any prince or state, with which the said king shall be at war; and if any person of either nation shall take such commissions or letters of marque, he shall be punished as a pirate.

*Art. 24.* It shall not be lawful for any foreign privateers not belonging to the subjects of the most Christian king, nor citizens of the said United States, who have commissions from any other prince or state at enmity with either nation, to fit their ships in the ports of either the one or the other of the aforesaid parties; to sell what they have taken, or in any other manner whatsoever, to exchange their ships, merchandizes, or any other lading: neither shall they be allowed even to purchase victuals, except such as shall be necessary for their going to the next port of that prince or state from which they have commissions.

*Art. 25.* It shall be lawful for all and singular the subjects of the most Christian king, and the citizens, people, and inhabitants of the said United States, to sail with their ships, with all manner of liberty and security, no distinction being made who are the proprietors of the merchandise laden thereon, from any port to the places of those who now are or hereafter shall be at enmity with the most Christian king, or the United States. It shall likewise be lawful for the subjects and inhabitants aforesaid, to sail with the ships and merchandises aforementioned, and to trade with the same liberty and security from the places, ports, and havens of those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy aforementioned to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of the same prince or under severall: And it is hereby stipulated that free ships shall also give a freedom to goods, and that every thing shall be deemed to be free and exempt, which shall be found on board the ships belonging to the subjects of either of the confederates—although the whole lading or any part thereof should appertain to the enemies of either, contraband goods being always excepted. It is also agreed in like manner, that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to both or either party, they are not to be taken ~~out~~ of that free ship, unless they are soldiers and in actual service of the enemies.

*Art. 26.* This liberty of navigation and commerce shall extend to all kinds of merchandises, excepting those only which are distinguished by the name of contraband, and under this name of contraband or

prohibited goods, shall be comprehended arms, great guns, bombs with their fuses, and other things belonging to them, cannon ball, gunpowder, match, pikes, swords, lances, spears, halberts, mortars, petards, grenades, salt-petre, muskets, musket ball, bucklers, helmets, breast-plates, coats of mails, and the like kind of arms proper for arming soldiers; musket-rests, belts, horses with their furniture, and all other warlike instruments whatever. These merchandises which follow shall not be reckoned among contraband or prohibited goods, that is to say, all sorts of cloths, and all other manufactures woven of any wool, flax, silk, cotton or any other materials whatever, all kinds of wearing apparel, together with the species whereof they are used to be made, gold and silver, as well coined as uncoined, tin, iron, latten, copper, brass, coals, as also wheat and barley, and any other kind of corn and pulse, tobacco, and likewise all manner of spices, salted and smoaked flesh, salted fish, cheese and butter, beer, oils, wines, sugars and all sorts of salts, and in general all provisions which serve for the nourishment of mankind and the sustenance of life; furthermore all kinds of cotton, hemp, flax, tar, pitch, ropes, cables, sails, sail cloths, anchors and any parts of anchors; also ships masts, planks, boards and beams of what trees soever, and all other things proper either for building or repairing ships, and all other goods whatever, which have not been worked into the form of any instrument or thing prepared for war by land or by sea, shall not be reputed contraband, much less such as have been already wrought and made up for any other use, all which shall be wholly reckoned among free goods, as likewise all other merchandises and things which are not comprehended and particularly mentioned in the foregoing enumeration of contraband goods, so that they may be transported and carried in the freest manner by the subjects of both confederates, even to places belonging to an enemy, such towns, or places, being only excepted as are at that time besieged, blocked up or invested.

Art. 27. To the end that all manner of dissentions and quarrels may be avoided and prevented on one side and the other, it is agreed that in case either of the parties hereto should be engaged in war, the ships and vessels belonging to the subjects or people of the other ally, must be furnished with sea-letters or passports, expressing the name, property and bulk of the ship, as also the name and place of habitation of the master or commander of the said ship, that it may appear thereby that the said ship really and truly belongs to the subjects of one of the parties, which passport shall be made out and granted according to the form annexed to this treaty; they shall likewise be recalled every year, that is if the ship happens to return home within the space of a year: It is likewise agreed that such ships being laden, are to be provided not only with passports, as above mentioned, but also with certificates containing the several particulars of the cargo, the place whence the ship sailed, and whither she is bound, that so it may be known whether any forbidden or contraband goods be on board of the same, which certificates shall be made out by the officers of the place whence the ship set sail, in the accustomed form, and if any one shall think it adviseable to express in the said certificates, the persons to whom the goods on board belong, he may freely do so.

Art. 28. The ships of the subjects and inhabitants of either of the parties, coming upon any coast belonging to either of the said allies, but not willing to enter into port, or being entered into port, and not willing to unload their cargoes, or break bulk, they shall be treated according to the general rules prescribed or to be prescribed relative to the object in question.

Art. 29. If the ships of the said subjects, people or inhabitants of either of the parties shall be met with, either failing along the coasts or on the high seas, by any ship of war of the other, or by any privateer, the said ship of war or privateer, for the avoiding of any disorder, shall remain out of cannon shot, and may send their boats on board the merchant ship which they shall so meet with, and may enter her to the number of two or three men only, to whom the master or commander of such ship or vessel shall exhibit his passport concerning the property of the ship, made out according to the form inserted in this present treaty, and the ship, when she shall have shewed such passport, shall be free and at liberty to pursue her voyage, so as it shall not be lawful to molest or to search her in any manner, or to give her chace, or force her to quit her intended course.

Art. 30. It is also agreed, that all goods, when once put on board the ships or vessels of either of the two contracting parties, shall be subject to no further visitation, but all visitation or search shall be made beforehand, and all prohibited goods shall be stopped on the spot, before the same be put on board, unless there are manifest tokens or proofs of fraudulent practice. Nor shall either the persons or goods of the subjects of his most Christian majesty, or the United States, be put under any arrest, or molested by any other kind of embargo, for that cause, and only the subject of that state to whom the said goods have been or shall be prohibited, and who shall presume to sell or alienate such sort of goods, shall be duly punished for the offence.

Art. 31. The two contracting parties grant mutually the liberty of having, each, in the ports of the other, consuls, vice-consuls, agents and commissaries, whose functions shall be regulated by a particular agreement.

Art. 32. And the more to favour and facilitate the commerce which the subjects of the United States may have with France, the most Christian king will grant them in Europe one or more free ports, where they may bring and dispose of all the produce and merchandise of the thirteen United States, and his majesty will also continue to the subjects of the said states, the free ports which have been and are open in the French islands of America; of all which free ports the said subjects of the United States shall enjoy the use agreeable to the regulations which relate to them.

Art. 33. The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of six months, or sooner if possible.

In faith whereof the respective plenipotentiaries have signed the above articles, both in the French and English languages, declaring nevertheless that the present treaty was originally composed and con-

cluded in the French language, and they have thereto affixed their seals.—Done at Paris, this 6th day of February, 1778.

*G. A. Gerard, B. Franklin, Silas Deane, Arthur Lee.*  
(L. S.) (L. S.) (L. S.) (L. S.)

FORM of the PASSPORTS and LETTERS which are to be given to the SHIPS and BARKS according to the 27th ARTICLE of this TREATY.

To all who shall see these Presents, Greeting.

IT is hereby made known that leave and permission has been given to. master and commander of the ship called

of the town of burden tons

or thereabouts, lying at present in the port and haven of

and bound for and laden with After that his ship has been visited, and before sailing he shall make oath before the officers who have the jurisdiction of maritime affairs, that the said ship belongs to one or more of the subjects of.

The act whereof shall be put at the end of these presents, as likewise that he will keep and cause to be kept by his crew on board the marine ordinances and regulations, and enter, in the proper office, a list signed and witnessed, containing the names and sir-names, the places of birth and abode of the crew of his ship, and of all who shall embark on board her, whom he shall not take on board without the knowledge and permission of the officers of the marine; and in every port or haven where he shall enter with his ship, he shall shew this present leave to the officers and judges of the marine, and shall give a faithful account to them of what passed, and was done during his voyage, and he shall carry the colours, arms, and ensigns of the king or United States, during his voyage. In witness whereof, we have signed these presents, and put the seal of our arms thereunto, and caused the same to be countersigned by at

the day of Anno Domini.

NOW KNOW YE,

THAT we the said Congress, have unanimously ratified and confirmed, and by these presents do ratify and confirm the said treaty, and every part, article and clause thereof on our part, concluded and signed as aforesaid; and further do authorise and direct our commissioners at the court of France, or any of them, to deliver this our act of ratification in exchange for the ratification of the said treaty, on the part of his most Christian majesty, the king of France and Navarre.

DONE in Congress at Yorktown, in the state of Pennsylvania, this fourth day of May, in the year of our Lord one thousand seven hundred and seventy-eight.

In testimony whereof the president by order of the said Congress, hath hereunto subscribed his name and affixed his seal.

President, (L. S.).

Secretary.

Attest.

The Congress of the United States of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, by the grace of

God sovereign, free and independent, to all who shall see these presents, Greeting.

WHEREAS in and by our commission, dated at Philadelphia, the 30th day of September, in the year of our Lord one thousand seven hundred and seventy-six; Benjamin Franklin, one of the delegates in Congress from the state of Pennsylvania, and president of the convention of the said state, &c. Silas Deane, late a delegate from the state of Connecticut, and Arthur Lee, barrister at law, were nominated and appointed our commissioners with full powers to treat, agree and conclude with his most Christian majesty the king of France, or with such person or persons as should be by him for that purpose authorised of, and upon a true and sincere friendship, and a firm inviolable and universal peace for the defence, protection and safety of the navigation and mutual commerce of the subjects of his most Christian majesty and the people of the United States, we promising in good faith to ratify whatsoever our said commissioners should transact in the premises: And whereas our said commissioners, in pursuance of their full powers, on the 6th day of February last, at Paris, with Conrad Alexander Gerard, royal syndic of the city of Straßburg, secretary of his most Christian majesty's council of state, by virtue of powers plenipotentiary to him granted by his most Christian majesty, and dated the 30th day of January, in the year of our Lord one thousand seven hundred and seventy-eight, did conclude and sign on the part of the crown of France, and of the United States of America, a treaty of alliance in the following words.

**“TREATY OF ALLIANCE EVENTUAL AND DEFENSIVE.”**

THE most Christian king and the United States of North-America, to wit, New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, having this day concluded a treaty of amity and commerce, for the reciprocal advantage of their subjects and citizens, have thought it necessary to take into consideration the means of strengthening those engagements, and of rendering them useful to the safety and tranquility of the two parties, particularly in case Great-Britain, in resentment of that connection, and of the good correspondence which is the object of the said treaty, should break the peace with France, either by direct hostilities, or by hindering her commerce and navigation in a manner contrary to the rights of nations, and the peace subsisting between the two crowns: And his majesty and the said United States having resolved in that case to join their councils and efforts against the enterprizes of their common enemy, the respective plenipotentiaries empowered to concert the clauses and conditions proper to fulfil the said intentions, have, after the most mature deliberation, concluded and determined on the following articles:

*Art. 1.* If war should break out between France and Great-Britain, during the continuance of the present war between the United States and England, his majesty and the said United States shall make it a common cause, and aid each other mutually with their good offices, their counsels and their forces, according to the exigencies of conjectures, as becomes good and faithful allies.

Art. 2. The essential and direct end of the present defensive alliance is, to maintain effectually the liberty, sovereignty and independence, absolute and unlimited, of the said United States, as well in matters of government as of commerce.

Art. 3. The two contracting parties shall each, on its own part, and in the manner it may judge most proper, make all the efforts in its power against their common enemy, in order to attain the end proposed.

Art. 4. The contracting parties agree, that in case either of them should form any particular enterprize, in which the concurrence of the other may be desired, the party whose concurrence is desired, shall readily and with good faith join to act in concert, for that purpose, as far as circumstances, and its own particular situation will permit, and in that case they shall regulate, by a particular convention, the quantity and kind of succour to be furnished, and the time and manner of its being brought into action, as well as the advantages which are to be its compensation.

Art. 5. If the United States should think fit to attempt the reduction of the British power remaining in the northern parts of America, or the islands of Bermudas, those countries or islands, in case of success, shall be confederated with or dependant upon the said United States.

Art. 6. The most Christian king renounces forever the possession of the island of Bermudas, as well as of any part of the continent of North-America, which, before the treaty of Paris in 1763, or in virtue of that treaty, were acknowledged to belong to the crown of Great-Britain, or to the United States, heretofore called British colonies, or which are at this time, or have lately been under the power of the king and crown of Great-Britain.

Art. 7. If his most Christian majesty shall think proper to attack any of the islands situated in the gulph of Mexico, or near that gulph, which are at present under the power of Great-Britain, all the said isles, in case of success, shall appertain to the crown of France.

Art. 8. Neither of the two parties shall conclude either truce or peace with Great-Britain, without the formal consent of the other first obtained, and they mutually engage not to lay down their arms, until the independence of the United States shall have been formally or tacitly assured by the treaty or treaties that shall terminate the war.

Art. 9. The contracting parties declare, that being resolved to fulfil, each on its own part, the clauses and conditions of the present treaty of alliance, according to its own power and circumstances, there shall be no after claim of compensation on one side or the other, whatever may be the event of the war.

Art. 10. The most Christian king and the United States agree to invite or admit other powers who may have received injuries from England, to make common cause with them, and to accede to the present alliance under such conditions as shall be freely agreed to and settled between all the parties.

Art. 11. The two parties guarantee mutually from the present time, and forever, against all other powers, to wit, the United States to his

most Christian majesty, the present possessions of the crown of France in America, as well as those which it may acquire by the future treaty of peace; and his most Christian majesty guarantees on his part to the United States their liberty, sovereignty and independence, absolute and unlimited, as well in matters of government as commerce, and also their possessions, and the additions or conquests that their confederation may obtain, during the war, from any of the dominions now or heretofore possessed by Great Britain in North-America, conformable to the 5th and 6th articles above written, the whole as their possession shall be fixed and assured to the said states at the moment of the cessation of their present war with England.

*Art. 12.* In order to fix more precisely the sense and application of the preceding article, the contracting parties declare, that in case of a rupture between France and England, the reciprocal guarantee declared in the said article shall have its full force and effect the moment such war shall break out; and if such rupture shall not take place, the mutual obligations of the said guarantee shall not commence until the moment of the cessation of the present war between the United States and England, shall have ascertained their possessions.

*Art. 13.* The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of six months, or sooner if possible.

In faith whereof, the respective plenipotentiaries, to wit, on the part of the most Christian king, Conrad Alexander Gerard, royal syndic of the city of Strasburg, and secretary of his majesty's council of state; and on the part of the United States, Benjamin Franklin, deputy of the general Congress from the state of Pennsylvania, and president of the convention of the said state, Silas Deane, heretofore deputy from the state of Connecticut, and Arthur Lee, counsellor at law, have signed the above articles, both in the French and English languages, declaring nevertheless, that the present treaty was originally composed and concluded in the French language, and they have hereunto affixed their seals.

DONE at Paris this 6th day of February, one thousand seven hundred and seventy-eight.

*C. A. Gerard. B. Franklin. Silas Deane. Arthur Lee.*

(L. S.) (L. S.) (L. S.) (L. S.)

NOW KNOW YE,

THAT we the said Congress have unanimously ratified and confirmed, and by these presents do ratify and confirm the same treaty and every part, article and clause thereof, on our part concluded and signed as aforesaid, and further do authorise and direct our commissioners at the court of France, or any of them, to deliver this our act of ratification, in exchange for the ratification of the said treaty on the part of his most Christian majesty the king of France and Navarre.

DONE in Congress at York-Town, in the state of Pennsylvania, this 4th day of May, in the year of our Lord one thousand seven hundred and seventy-eight. In testimony whereof, the president, by order of the said Congress, hath hereunto subscribed his name, and affixed his seal.

*President. (L. S.)  
Secretary.*

*Attest.*

A report from the board of admiralty was read; whereupon,  
 Resolved, That the pay of the officers and men in the navy of these United States, as fixed by the act of Congress of November 15, 1776, be hereafter considered as, and paid in, specie, or other money equivalent.

Resolved, That the subsistence money of officers of the navy, as regulated by the act of Congress of July 25, 1777, be hereafter considered as, and paid in, specie, or other money equivalent.

Resolved, That a bounty of 20 dollars in specie, or other money equivalent, be allowed to every able seaman, and 10 dollars to every ordinary seaman or landsman, who shall enter into the sea service for a twelve-month, one half thereof to be paid to them before their sailing, and the other half at the expiration of 12 months, to be computed from the time of their entry and enlistment.

Resolved, That 40 continental dollars, or 1 dollar of the bills which shall be issued by the respective states, in pursuance of the act of Congress of the 18th March last, be considered as equivalent to a dollar in specie, in the payment of the bounty, wages and subsistence mentioned in the foregoing resolutions.

Resolved, That the foregoing resolutions, so far as respects their wages, shall extend to the men who entered on board the Trumbull, under the command of James Nicholson, Esq. the men that have entered on board the Saratoga, under the command of James Young, Esq. the men that have entered on board the Deane, Samuel Nicholson, Esq. commander, for the present cruise; and on board the Confederacy, Seth Harding, Esq. commander, for the present cruise.

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WEDNESDAY, July 12, 1780.

Congress took into consideration the report of a committee on the petition of lieut. col. Dericks, and thereupon,

Resolved, That lieut. col. Dericks have leave of absence, agreeably to his request, till the further order of Congress:

That a bill of exchange for 444 dollars, drawn on the hon. Henry Laurens, be advanced to the said lieut. col. Dericks, on account of his pay.

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THURSDAY, July 13, 1780.

A report from the board of war was read; whereupon,

Resolved, That lieut. Dow, of col. Flower's regiment of artillery artificers, be promoted to the rank of capt. lieut. in the said regiment, his commission to bear date April 4th, 1780, the time capt. lieut. Parks was dismissed the service.

On motion of Mr. S. Adams, seconded by Mr. Bee,  
 Congress came to the following resolution:

The abilities and experience of brig. gen. du Portail, in the line of his department as an engineer, appearing to Congress essential to the effectual promotion of the operations of the ensuing campaign;

Resolved, That gen. Washington immediately endeavour to obtain the exchange of brig. gen. du Portail, now a prisoner of war on parole.

SATURDAY, July 15, 1780.

A report from the board of war was read; whereupon,  
*Resolved*, That the Rev. Robert M'Murdie be appointed chaplain  
to the first Pennsylvania brigade.

The committee to whom was referred for revision the plan for con-  
ducting the quarter-master's department, having executed the business,  
laid before Congress the plan, as revised, which was read and agreed  
to as follows:

WHEREAS Congress, on the 25th day of February last, resolved that  
the several states should be called on for certain supplies of beef,  
flour and other articles necessary for the ensuing campaign; and that  
the same should be collected and deposited or delivered at the risque  
of the respective states, at such places, within each state respectively,  
as the commander in chief should judge most convenient; and it being  
necessary to provide for the safe keeping and transportation of the stores  
which shall be so deposited, and to make a new regulation of the  
quarter-master's department.

*Resolved*, That there be one quarter-master-general and one assistant-quartermaster-general, appointed by Congress, and one deputy-quarter-master for the main army, and one for each separate army, to be appointed by the quarter-master-general:

That the quarter-master-general appoint one deputy for each state, if he shall judge so many to be necessary, and the same be approved by the board of war; the person appointed to be approved of by the supreme executive of the state in which he is to be employed:

That each deputy, whether appointed for one state or more, shall appoint as many assistants as the service may necessarily require, and the quartermaster-general shall approve; and a return of such appointments shall be immediately made to the board of war by the quartermaster-general:

That all store-keepers, contractors, clerks, conductors, artificers and labourers, of whatever denomination, who may be found necessary for the well conducting the public business, be appointed by the deputies in their respective districts; and that they employ them in such numbers, for such time, and at such places, as the service may require, and on such conditions as shall be most for the benefit of the public; nevertheless, if they are agreed with or continue in service for any longer time than two months, the conditions are to be approved by the quartermaster-general:

That the duty of a deputy-quartermaster for a state shall be, to provide the means of transportation in such state for all public property, agreeably to the orders he may receive from the commander in chief, the board of war, the quartermaster-general, or the officer commanding in the state—to provide such store-houses as may be necessary for the preservation of the public property, and to appoint suitable store-keepers, properly instructed, to account, in the best manner the nature of the business will admit, agreeably to such plans as the quartermaster-general may prescribe for all articles received, whether provided by the state in the state, or received from another state, taking care always to note deficiencies, and to reject such as are deficient in quality, whether provided by the state, or in any other

manner within the state; but if the parties are dissatisfied, the store-keeper, and the person or persons so tendering the goods, shall each nominate three of the most reputable freeholders in the vicinity of the place where the goods are to be delivered, the store-keeper to appoint one of the three nominated by the person or persons offering the goods, and he or they, one of those named by the store-keeper; and if the two first cannot agree, a third is to be chosen by lot out of the remaining four, as an umpire; the arbitrators to be on oath, and copies of their award to be delivered in writing to the parties, which shall be binding and conclusive—to keep proper registers of all persons, teams, pack-horses, vessels and craft, employed in the department, noting the manner and conditions on which they serve, and whether the teams, pack-horses, vessels or craft, are private or public property—to execute all orders, either for purchases or other purposes, which he may receive from the commander in chief, the board of war, the quartermaster-general, or the commanding officer in the state; to pay all officers in the different parts of the state who shall be necessary to execute the business of the department, and who have been approved as aforesaid—to give such instructions, with respect to the management of the business, as shall appear necessary to have it conducted with the greatest economy and order, and at the same time with that dispatch which the service may require—to apply to the assistant-quartermaster-general for such sums of money as the service may require, and to distribute the same in such proportion as will best answer the purpose—to visit all the places of business of those serving under him, as often as his other duties will admit; and see whether they execute their duty agreeably to the instructions they receive—to inspect their accounts, books of receipts and issues, and to correct what is amiss—to collect and render his accounts of expenditures and returns of public property and persons employed in the department every three months; and to make return to the assistant-quartermaster-general of all issues that have been made, mentioning the articles, quantity or number of each, on whose application or order issued, and to whom delivered—to see that all stores provided in one state, to be forwarded to another, be carefully inspected, that the quantity and quality is agreeable to the order given before they are sent forward—to confine all the contracts or bargains of the contractors and agents of every denomination, within the state to which they belong, to prevent one contractor interfering with another—to make such provision for wintering or recruiting public horses, as may be necessary for the convenience and support of the army: And generally to do and perform every thing necessary to promote the service.

That the duty of the assistant-quartermaster-general shall be, to reside near Congress—to frame plans for keeping accounts in the department, and to accommodate them to the nature of the business in the best possible manner for preserving regularity; and after the quartermaster-general shall approve thereof, to transmit them to the deputies in the several states as a rule for their stating and keeping their accounts, to be by them communicated to all their under agents—to receive from the army and the districts, the accounts and vouchers arising therein to the first day of December, and to lay them before

the chamber of accounts for settlement by the 1st day of January—to apply to the board of treasury for such sums of money as the quartermaster-general shall direct, and distribute the same as the several branches of the department may require—to make such remarks and give such directions to the deputies in the several states as shall be found necessary for saving expense or preserving order in the business—to receive from the respective deputies, at the end of every three months, returns of all persons employed, how, where and on what conditions, and returns of all public property belonging to the department, and where deposited, made out in four distinct columns, one containing what has not been issued, another what is in use, the third what has been used and wants repairing, and the fourth what is unfit for further service and still of some value; these returns to be made agreeably to such forms as shall be furnished by the quartermaster-general.

That the returns be made to the assistant-quartermaster-general in March, June, September and December; and that the general returns be furnished to the quartermaster-general as soon after as possible.

That the quartermaster-general appoint one commissary of forage for the main army, and so many deputies, forage-masters, clerks and labourers, as the service may require, and the commander in chief shall approve of, a deputy commissary of forage, and as many clerks and labourers for each separate army, as the service may require, and the commanding officer of such separate army shall approve of:

That the duty of a commissary of forage and of a deputy commissary of forage with a separate army, shall be, to provide forage and pasture in the neighbourhood of the camp, by purchase or otherwise, as the case may require, and to distribute the same—to correspond with the deputy-quartermasters, in the states in or near which the army may be, and make seasonable requisitions from them for such quantities of forage as the service may require, and to receive and issue the same to the army in such manner and proportion as is hereafter directed.

That the wages of people employed in the forage branch, as well as the price of forage purchased, and hire of pasture as aforesaid, and all other contingent expenses of the department, be directed for payment to the quartermaster-general's pay-office; that the commissary of forage or his deputy certify the sums due, and that the same have been fully examined; that such orders or certificates for payment be presented to the auditor of accounts in the quartermaster-general's office, and pass from him to the pay-office: but when, from sudden movements of the army, the certificates, for pasturage or forage furnished in the vicinity thereof, signed by the commissary of forage or his deputy, cannot be brought for payment to the quartermaster-general's pay-office in camp, without great inconvenience to the possessors of the same, such certificates shall be paid by the deputy quartermaster of the state in which the same shall have been furnished, the sums and articles furnished being inserted in words at full length; and, to prevent frauds, the commissary of forage or deputy with a separate army, shall furnish the deputy quartermaster of the state, in

which the army may serve, with a list of the persons employed in the forage branch, in their own hand writing, and the printed form of certificates generally made use of by them.

That the commissary of forage, or deputy with a separate army, fix upon such places for receiving and issuing forage at the army, as shall best accommodate the service; and that written instructions be given to the keeper of the magazine of forage, how and to whose order to issue the same; that proper entries be made in a book, to be kept for the purpose of all receipts and issues, and that the orders be numbered and filed to agree with the entries in the book.

That the forage-masters, and keepers of the army magazines shall make weekly returns to the commissary of forage, or to the deputy with a separate army, of all forage received and issued, and of all pasturage made use of, and certificates given for the same; and that the commissary of forage, or deputy with a separate army, shall, at the end of every four weeks, make returns to the quartermaster-general, or deputy-quartermaster with a separate army, of all the forage received at the magazines or collected from the country, and of the issues of the same; also of all certificates for pasturage or forage which have, within that time, been given for settlement at the quartermaster-general's pay-office.

That forage for the waggon horses be issued on the returns of the respective conductors, countersigned by the waggon-master or his deputy; and for other horses on the orders of the officers entitled to receive forage by virtue of these regulations: and if any officer in the forage department shall issue forage in any other manner, or in larger proportions than is prescribed in these regulations, he shall be charged with and pay the full value of such extra forage, and be dismissed from the service.

That there be no deputy commissary of forage or forage-master appointed, except for the main army, or a separate army; and that all forage which it may hereafter be necessary to issue at any post, be issued by the deputy-quartermaster of the state, his assistants or store-keepers:

That the deputy-quartermaster of the state shall appoint the magazines or places at which forage shall be issued, and none shall be issued at any other; nor shall any forage be issued at such post to any officer, unless he certifies upon honour, on his return, that he is not on furlough nor absent from the army on his private business:

That a ration of forage shall consist of 14 pounds of hay and 8 quarts of oats for a faddle horse, and 16 pounds of hay and 12 quarts of oats, or other short forage equivalent, for a draught horse, per day: That in cases where either of the above articles cannot be furnished, a double quantity of the other shall be considered as a complete ration.

And whereas the great number of issuing posts established in these states have, by experience, been found very burdensome and expensive:

*Resolved*, That from and after the 1st day of August next, no post, without troops there stationed, and in the continental service, shall be continued or established in any state at the expense of the United States, nor public provisions or forage issued thereat, but by order of

the board of war, the commander in chief, or commanding officer of a separate army; and such order shall be given only in cases when, in their opinion, the obtaining provision or forage in any other way would be impracticable.

And whereas it may sometimes happen that there is a necessity to detain hired teams, the owners of which were to find their own forage and provisions, beyond the time for which such teams were engaged, and who, if their own forage and provisions are expended, must have recourse to the public magazines:

*Resolved*, That such teams, and their conductors and drivers, so detained and become destitute of forage and provisions, shall be supplied out of the public magazines, upon the written order of the officer by whose order they shall have been detained; and the waggon-master, or his deputy or other person, under whose direction such teams be employed, before he signs their discharge, shall cause to be endorsed thereon, by the forage-master and commissary, or store-keeper (as the case may be) the number of rations of forage and provisions furnished to such teams and their conductors and drivers, that the same may be deducted out of the wages due to the owners of such hired teams: that, excepting in the cases above mentioned, no provisions or forage be drawn by any person not actually serving with the army, or some detachment thereof:

That there be one waggon-master with the main army, and as many deputies, clerks, and conductors, as the service may require, and the commander in chief shall approve of; that there be a deputy for each separate army, with as many assistants, clerks and conductors, as the same may require, and the commanding officer shall approve of:

That the waggon-master, and deputy with a separate army, shall keep an exact register of all persons and teams employed with the army in his department, distinguishing by proper columns the private and public property; that he keep exact registers of all pay-rolls, noting the time and conditions of payment; that, in every pay-roll, the names and employment of every person be inserted at full length; and that the roll be signed by the waggon-master, or deputy with a separate army, and then pass to the auditor of accounts in the office of the quartermaster-general, or deputy in a separate army, and from him to the respective pay-office:

That the waggon-master, or deputy in a separate army, give all the orders on the horse-yard for horses to equip the teams, and orders on the store for harness; and every deputy or assistant, receiving horses or harness upon such order, shall be charged with the same in his books, and be made to account, by his weekly or monthly returns for the horses or harness delivered to him.

That the waggon-master shall make monthly returns to the quartermaster-general, or oftener if required, of all persons, teams, and horses, employed in his department, noting where and with whom serving, adding a column of casualties, in which to insert the deaths, stolen or strayed horses, and also the harness that may be lost, and generally to make such regulations for the government of the waggoners as shall be best calculated to preserve public property, and to give them as a standing order to all the waggon-masters, the quartermaster-

Master-general approving thereof: that the like duties be performed by the deputy-waggon-master of a separate army.

That the quartermaster have liberty, with the approbation of the commander in chief, or commander of a separate army, to take such and so many officers from the line of the army, to serve in his department, as he may find necessary, and as are willing to engage in the business:

That the quartermaster-general establish a horse-yard with the army, for the purpose of receiving and issuing all public horses; and that the person appointed deliver none from the yard but by the order of the commander in chief, the quartermaster-general, or his deputy, or the waggon-master:

The same regulations to take place with a separate army:

That an exact register be kept of the receipt and delivery of all horses, from whom received, to whom delivered, and by whose order; and also of all horses that may die, be stolen, or stray from the yard, or that are ordered to be sold by the quartermaster-general, as unfit for farther service; and that returns of all transactions of the yard be made to the quartermaster-general's office monthly, and as much oftener as the quartermaster-general may direct.

Whereas it is necessary that every army should be limited in the article of baggage; this regulation being essential, as well to save expense as to prevent the army from being embarrassed in its operations; and that every officer should have only such a quantity of baggage as is essential to his comfort and appearance:

*Resolved*, That the following proportion of waggons and bat-horses be allowed to the different ranks of officers, and no more, unless it be by order of the commander in chief, or commanding officer of a separate army, each of whom to be allowed for themselves so many baggage waggons and bat-horses as they may think necessary, to wit,

	Covered.	4 horse waggon.	Open.	4 horse waggon.	2 horse waggon.	Bat-horses.
Major general and family,				1		
Brigadier general and family,				1		
Colonel, lieutenant-colonel and major,				1		
Captains and subalterns of a regiment, for their baggage,				1		
Surgeon, paymaster, adjutant and quartermaster, (regimental staff)				1		
Brigade quartermaster,				1		

	Covered.	4 horse waggon.	Open.	4 horse waggon.	2 horse waggon.	Bat-horses.
For the tents of a regiment, for every 75 men, but this to be varied according to the weight of the tents and state of the roads,	1					
Quartermaster-general, for his baggage according to his rank, for his books, papers, &c. as many as he shall find necessary,						
Deputy-quartermaster with the main army, or with a separate army, for his baggage, and for his books, papers, &c. as they may demand,						
Commissary of forage with the main army,						
Deputy commissary of forage with a separate army,					1 or 2	
Waggonmaster and clerks,						
Deputy-waggonmasters with the main army, each,						1
Deputy-waggonmaster with a separate army, clerks and assistants,					1 or 2	
Inspector-general, for his baggage according to his rank, and for his papers, &c. according as the service may require, or commander in chief may direct,						
Sub-inspector,						1
Brigade-inspector,						1
Adjutant-general and assistants,						1
Deputy-adjutant-general with a separate army,						1
Judge-advocate,						1 or 2
Commissary of prisoners,						1 or 2
Deputy-judge-advocate with a separate army,						1 or 2
Deputy commissary of prisoners with a separate army,						1 or 2
Provost-marshall with his prisoners and guards,						1
A commissary and his deputy of purchases or issues,						1
A deputy-commissary with a separate army,						1 or 2
Field-commissary of military stores and his deputy with the main army,						1 or 2
Deputy-commissary of military stores with a separate army,						1 or 2
Auditors of the main army, for their baggage, books, papers, &c.						1
Auditors for a separate army,						1
Deputy-paymaster, either with the main army, or with a separate army,						1
Field-postmaster,						2
Express-rider,						1 or 2

Provided, That if the number of waggons stated as above should prove insufficient, the quartermaster-general may occasionally furnish such additional carriage as the commander in chief or commanding officer of a separate army, or the board of war, may direct.

Whereas the business of deputy-quartermasters serving in the different states, may vary greatly one from another; and whereas that allowance which would be ample in some states, would be inadequate in others:

*Resolved*, That the quartermaster-general be authorised to fix the pay of each deputy to conduct the business of his department in the states, according to the duties they have to perform, and the expenses they will be at in executing the same; so that the pay of no deputy exceed one hundred and thirty-four dollars per month, without provision or forage, always having regard to the merit and service of the person appointed, and which shall be approved of by the board of war.

That the pay of the assistant-deputy-quartermasters be settled by the deputy-quartermaster under whom they respectively serve, according to the duties they have to perform, and the expense they will be at in executing the same, so as the pay of no assistant-deputy-quartermaster exceed seventy-five dollars per month, without provisions or forage; always having regard to the merit and services of the person appointed, and which shall be approved of by the quartermaster-general:

That the pay of the officers in the quartermaster-general's department, who are attached to the main or to a separate army, and move with it, be as follows:

Quartermaster-general, in addition to his pay as an officer in the line, at the rate of one hundred and sixty-six dollars per month:

Assistant-quartermaster-general, who is to reside near Congress, at the rate of one hundred and sixty-six dollars per month:

Deputy-quartermaster, thirty-five dollars per month, in addition to his pay in the line:

Brigade-quartermaster, twenty dollars per month, in addition to his pay in the line:

Commissary of forage, seventy-five dollars per month, and two rations of provisions per day:

Deputy commissary of forage, forty dollars per month, and one ration of provisions per day:

Forage-master, in addition to his pay in the line of the army, ten dollars per month:

Waggonmaster, sixty dollars per month, and two rations of provisions per day:

Deputy-waggonmaster, forty-five dollars per month, and one ration of provisions per day:

Assistant-waggonmaster in a separate army, forty dollars per month, and one ration of provisions per day:

Conductor of waggons, when not of the line of the army, thirty-five dollars per month, and one ration of provisions per day; when of the line of the army, twelve dollars per month, in addition to his pay in the line:

That the foregoing salaries be paid in specie, or other money equivalent.

Whereas, in order to prevent the unnecessary consumption of forage, it is requisite to determine what officers shall be supplied with forage at the public expense, and to fix the quantity that shall be furnished to each:

Resolved, That in addition to the forage allowed for the waggon and bat-horses, by these regulations, there be issued to the commander in chief, and to the commanding officer of a separate army, and to those of their suite, as many rations as the service shall require:

To a major-general and family, seven;  
 Brigadier-general and family, six;  
 Colonel of infantry or artillery, two;  
 Lieutenant-colonel, two;  
 Major, two;  
 Chaplain, one;  
 Surgeon, one;  
 Paymaster, one;  
 Adjutant, one;  
 Quartermaster, one;  
 Brigade-quartermaster, one;  
 Captain of engineers, one;  
 Quartermaster-general, as the service may require;  
 Deputy-quartermaster with the army, one;  
 Commissary of forage, two;  
 Deputy commissary of forage, one;  
 Waggonmaster and clerks, three;  
 Deputy-waggonmaster, one;  
 Deputy-waggonmaster with a separate army, two;  
 Assistant-waggonmaster with ditto, one;  
 Inspector-general, agreeably to his rank;  
 Sub-inspector, in addition to what he draws in the line, one;  
 Adjutant-general and his family, including what he may draw in the line, seven;  
 Deputy-adjutant-general for a separate army, three; including what he may draw in the line;  
 Commissary of prisoners, two;  
 Deputy-commissary of prisoners with a separate army, two;  
 Deputy serving with the main army, one;  
 Judge-advocate, two;  
 Provost-marshall, one;  
 Commissary-general of purchases, four;  
 Commissary-general of issues, two;  
 Brigade-commissary, one;  
 Field-commissary of military stores, two;  
 Deputy-field-commissary of military stores, one;  
 Deputy-paymaster, one;  
 Auditors for the army, each, one;

That any of the said officers entitled to forage, who shall keep their horses at their own expense, when in camp, or when absent,

from the army on public service, shall be allowed as much daily for the forage so found as shall be certified by the deputy-quartermaster of the state in which the army may be, to be the net current cost of a ration of forage, every officer claiming such payment, producing a certificate from the forage-master from whom he usually draws, that he had not drawn forage from him during the time charged for, and certifying upon honour that he hath drawn no public forage whatever during the said time; on which a certificate shall pass from the commissary of forage, or deputy, to the quartermaster-general's auditor, for settlement of the same, not exceeding the current net cost of the ration as settled by the quartermaster of the state: Provided, that no officer on furlough shall be entitled to draw forage or pay for the same, for any time he is absent beyond the term allowed him by his furlough.

That the officers of cavalry be allowed to draw forage or pay for the same, under the like regulations as other officers, for the following number of horses, provided they actually keep the same:

A colonel, three;

Lieutenant-colonel, two;

Major, two;

Captain, two;

Lieutenant, one;

Cornet, one;

Paymaster,

Quartermaster,

Adjutant,

Surgeon, one.

} exclusive of allowance as officers in the line,

each one;

That all certificates for forage supplied to detached parties of cavalry, serving on the lines, or on marches, where public forage cannot be drawn, shall be signed by the forage-master, or quartermaster of the regiment or corps, or by a commissioned officer, if any be with the party, if not, by a non-commissioned officer, mentioning the quantity and species of forage, the number of horses, the time for which the same was drawn; and the price shall be inserted in words at full length, and the title of the officer, and regiment or corps to which he belongs, shall be added to his name.

That every officer who shall give such certificates, shall make a return of the same to the officer commanding the regiment to which he belongs, who shall direct his forage-master, or quarter-master, at the end of each month, to make a return of such certificates, to whom and where given, and to what amount, to the commissary of forage, or to the deputy with a separate army, and to the deputy-quartermaster of the state in which such supplies shall have been obtained, which certificates shall be passed by the commissary of forage or deputy with a separate army, either to the quartermaster-general's pay-office for settlement in camp, or to the deputy-quarter-master of the state for payment:

That all officers commanding detachments of cavalry, shall make returns of the forage they may draw, with the number of horses, and the time for which the same was drawn, to the officer commanding the regiment or corps to which they belong, which the commanding

officer shall deliver to the forage-master or quartermaster of the regiment or corps, who shall make returns of all the forage received and issued to the regiment or corps, at the end of each month, to the commissary of forage or deputy with a separate army.

That all the teams not serving with the army, be contracted with to find their own provisions and forage, if possible, and to be paid by the hundred weight per mile:

That no military or staff officer shall own, or in any manner be interested in any boat, shallop, waggon or other carriage, horse or team, employed on hire or contract in the service of the United States, on pain of forfeiting a sum equal to that which shall have become due for the service of such boat, shallop, waggon or other carriage, horse or team, during the whole time they shall have been so employed; and for a second offence, such officer shall be dismissed from the service:

That the quartermaster-general take such measures for providing camp equipage, and make such regulations for distributing the same, as he shall find necessary, and the commander in chief or the board of war shall approve; and that he also take measures for engaging such artificers as the service from time to time may require, in addition to the regimented artificers, and as shall be approved by the commander in chief; and that he generally make such arrangements as shall be necessary to manage the business of the quartermaster's department, either with the main army, a separate army, or detachment:

That the quartermaster-general, or deputy with a separate army, furnish such horses, for special purposes, and on particular applications as he shall think the good of the service may require; and whenever any doubt arises, that the matter be referred to the commander in chief, or the commanding officer of a separate army, for their instructions:

That no purchases of horses or any other articles with the main army, or in any of the states for the use of the army, in the quartermaster-general's department, be made, unless by order of the quartermaster-general, or by a deputy-quartermaster with a separate army or garrison:

That the quartermaster-general make returns to the commander in chief and board of war, as soon as possible after they are delivered in to him by the assistant-quartermaster-general, of all officers and other persons employed, and stores belonging to the department, and that a deputy serving with a separate army, or with a garrison, make returns quarterly, in the months aforementioned, agreeably to the directions given to a deputy of a state, which the quartermaster-general shall include in his general returns:

That all officers in the quartermaster-general's department, of whatever denomination, shall take the oaths of allegiance and the oath of office prescribed by Congress, before they enter on business:

That, with the returns before directed to be made, of the name and station of each person to be appointed in the quartermaster's department, there be also at the same time certificates returned therewith, of their having respectively taken the oaths and qualifications aforementioned:

That, in settling the accounts of officers in the quartermaster's

department, to be appointed by this act of Congress, no pay or allowance whatever be granted to any person employed in that department, whose name and employment, together with a certificate of his taking the aforesaid oaths, shall not be duly returned in manner above directed:

That the board of war shall have power to suspend and dismiss all supernumerary officers that may be employed in the quartermaster-general's department.

*Resolved*, That major-general Greene be continued in the office of quartermaster-general; that he be, and he is hereby directed to make the appointments and arrangements in the quartermaster's department, agreeably to the aforesaid resolutions, as soon as possible.

Provided, That nothing contained in the foregoing resolutions shall be construed to annul the resolution of the 9th day of July, 1779, authorising the executive authority of the respective states to correct abuses in the staff departments, or to vacate any appointment made, or that may be made by major-general Gates for the southern army, agreeably to the resolution of the 14th day of June last.

*Resolved*, That it be, and it is hereby recommended to the legislatures of the several states in which the army may serve, to make provision for furnishing the horses of the army, or detachments thereof, with a sufficient supply of pasture, and with such hay or forage as can be spared from the country in the vicinity of the army or detachment thereof; the same to be settled and paid for by the quartermaster-general with the army, or by the deputy in the state.

MONDAY, July 17, 1780.

Mr. Motte, a delegate for the state of South-Carolina, attended and produced the credentials of his appointment, which were read..

TUESDAY, July 18, 1780.

The board of treasury, to whom was referred the extract from Mr. Schuyler's letter of the 6th, report, as their opinion, that it is inexpedient to permit the commissaries of issues to furnish the retained rations in lieu of the subsistence money allowed to the officers of the line, but that the paymaster-general be enabled to pay the subsistence money aforesaid :

*Resolved*, That Congress agree to the said report..

*Resolved*, That the resolution or act of Congress, of the 10th day of May last, respecting loan-office certificates destroyed through accident, be extended to loan-office certificates which have been or shall be thrown over-board of any vessel to avoid capture by the enemy.

On a report of the delegates of the states of New-Hampshire, Massachusetts-Bay, Rhode-Island and Connecticut, to whom was referred the letter of the 10th from gen. Washington, with an estimate of tents and other camp equipage wanted for the army:

*Resolved*, That a copy of gen. Washington's letter of the 10th instant, and the estimate of tents and other camp equipage wanted for the army, accompanying the same, be transmitted to the supreme executive powers of the states of New-Hampshire, Massachusetts,

Bay, Rhode-Island and Connecticut, and that they be requested to take such measures as they may judge will be most speedy and effectual for procuring, within the said states respectively, the portions mentioned in the estimate, or as great a part thereof as may be had, especially of the most essential kinds.

*Resolved*, That the same assurances which were given to the subscribers to a bank in Pennsylvania, by resolutions of Congress of June 22d last past, be and hereby are given for the reimbursement of the expenses which shall be incurred by a compliance with the foregoing resolution.

Congress took into consideration the report of the committee to whom were referred the petitions of Thomas Jones, George Crothers, and others, artificers in the service of the United States; and thereupon,

*Resolved*, That the petitions before mentioned, be transmitted to his excellency the president and supreme executive council of Pennsylvania, to grant such relief as they shall judge just and reasonable to the petitioners, and to all other non-commisioned officers and privates of the corps of artificers in similar circumstances, who have been raised in the said state.

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*WEDNESDAY, July 19, 1780.*

A report from the board of war was read; whereupon,

*Resolved*, That lieut. la Clause receive the brevet of captain in the army of the United States, and that he be permitted to return to Europe.

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*THURSDAY, July 20, 1780.*

A report from the board of treasury was read; whereupon,

*Resolved*, That Henry Hollingsworth, deputy-quartermaster-general, be and hereby is suspended, and that some other person be appointed to transact the business of that department.

*Resolved*, That the deposition of Robert Anderson, respecting the supposed forgery of his name to a receipt, offered as a voucher in support of the accounts of Henry Hollingsworth, be transmitted to the executive authority of the state of Maryland, in order that such proceedings may be had against the person or persons concerned therein as may be agreeable to the laws of the state, at the expense of the United States.

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*FRIDAY, July 21, 1780.*

The medical committee, to whom was referred the letter of the 15th from doctor Brown, brought in a report, which was read; whereupon,

*Resolved*, That Congress entertain a high opinion of the abilities, integrity and past services of doctor William Brown, physician-general, but as his present circumstances will no longer permit his continuance in the service, his resignation be accepted.

On motion of Mr. Matlack, seconded by Mr. Hill,

*Ordered*, That the board of admiralty enquire into the circumstances under which a quantity of sugars and other merchandise were

Imported in the frigate Confederacy, and who were the persons concerned in that transaction, and report thereon to Congress.

MONDAY, July 24, 1780.

A report from the board of treasury was read; whereupon,

*Resolved*, That, from the particular circumstances attending the case of William Watson, and he having offered the best vouchers to support his claim that his present circumstances will admit of,

A warrant issue on the treasurer in his favour, for 7480 dollars, on account of the rum mentioned in his memorial to be furnished to Francis Coddington, deputy-commissary-general of purchases in Georgia, and for which sum the said William Watson is to be accountable.

*Resolved*, That in the absence of a general officer, the supreme executive of the state of Massachusetts-Bay, be and hereby are authorized and requested to draw warrants on the deputy-paymaster-general in that department for such sums of money as now are, or may be hereafter due on account of pay to officers and soldiers who have done, or are now doing duty in that state, or in the state of Rhode-Island.

Congress took into consideration the report of the committee on the letter from Moore Furman, deputy-quarter, and thereupon,

*Resolved*, That a copy of the said letter from Moore Furman, be transmitted to his excellency governor Livingston, and to the quartermaster-general:

That the quartermaster-general be directed immediately to appoint such suitable person as shall be approved by the supreme executive authority of the state of New-Jersey, to act as deputy-quartermaster in the said state, agreeably to the late regulation of the quartermaster's department, in order that the measures therein provided for collecting forage and transporting provisions and other public stores, may be taken as soon as possible:

That, until such deputy is so appointed and approved, Moore Furman be authorised to receive from the state commissaries such quantities of forage, out of the supplies purchased for the United States, as may be necessary to enable him to forward the transportation of public stores; and that governor Livingston be requested to give orders to the state commissaries to deliver the same accordingly, if such order shall be necessary.

Congress took into consideration the report of the committee on the letter of the 19th of June last from major gen. Greene, quartermaster-general; and thereupon,

*Resolved*, That major gen. Greene, quartermaster-general, be informed, in answer to his letter of the 19th of June last, that Congress, conceiving it to be essential to the public interest, as well as incident to the nature of all offices entrusted with the disbursement of public monies, that those who exercise them should be responsible for such disbursement, whether it be made immediately by themselves or by agents appointed by and responsible to them, cannot, consistently with their duty to their constituents, by any general resolution, hold up a contrary maxim; but as they wish not to expose the

faithful servants of the public to any unreasonalbe risques or losses; and are sensible that, on the various branches of the quartermaster's department, abuses and frauds may possibly happen, notwithstanding all the customary precautions, that in all such cases they will determine on the circumstances as they arise, and make such favourable allowances as justice may require.

A report from the board of war was read; whereupon,

*Resolved*, That the board of war and ordnance be authorised and directed to procure with all possible dispatch, 615 tons of shot for battering cannon, and 947 tons of shells, of such sizes as they shall deem proper, according to the requisitions made by the commander in chief.

The board of admiralty having represented that there is a vacancy of a lieutenant of marines on board the Saratoga, and having recommended Mr. Abraham Vandyke for that office,

*Resolved*, That Abraham Vandyke be appointed a lieutenant of marines, and that his commission bear date the 7th of this month, from which time he has acted in that capacity, by order of the board of admiralty, on board the Saratoga sloop of war.

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TUESDAY, July 25, 1780.

A letter of the 20th from gen. Washington was read, inclosing a copy of a letter of the same date from brig. gen. Maxwell, requesting leave to resign:

*Resolved*, That the resignation of brig. gen. Maxwell be accepted.

*Resolved*, That Margaret Corbin receive annually, during her natural life, one complete suit of clothes out of the public stores, or the value thereof in money, in addition to the provision made for her by the act of Congress of July 6th, 1779.

Another report from the board of war was read; whereupon,

*Ordered*, That monsieur la Claude receive one year's pay as lieut. in the legion late Pulaski's, and that the sum of 8000 dollars, in continental currency, be granted to him, to enable him to return to Europe.

Congress proceeded to the election of an assistant-quartermaster-general, to reside near Congress, and the ballots being taken,

Charles Pettit, Esq. was elected, having been previously nominated by Mr. Armstrong.

On motion of the delegates for Pennsylvania,

*Resolved*, That the supreme executive of the several states, which are called upon to furnish waggons for the service of the United States, be authorised to make such allowance for the hire of waggons as they shall think adequate, until deputy-quartermasters are appointed for the states respectively.

A report from the board of treasury was read; whereupon,

*Resolved*, That the interest due on the certificates issued from the loan-office in the state of North-Carolina be referred to that office for payment, to which office bills of exchange have been sent for the purpose of paying such interest.

The board of treasury, to whom was referred the letter of the 18th from sir James Jay, brought in a report; whereupon,

*Resolved*, That although sir James Jay has suffered considerably by the depreciation, in common with many other patriotic and virtuous citizens of these states, yet it is inexpedient to give any relief in the case stated in his letter of July 18th, 1780.

*Resolved*, That to enable the board of war to execute the authority vested in them by the resolution of the 24th, for the purpose of shot and shells, they be supplied with the sum of 4,000,000 of dollars, and that they be authorized to contract for the whole quantity of shot and shells mentioned in the resolution aforesaid, on the best terms possible, and agree on behalf of the United States, to make payment in specie, or an equivalent in the currency of these states, at such periods as shall be mutually agreed on between the said board and the manufacturers, with interest at 6 per cent. per annum, from such times as shall be fixed on by the said board.

That the said board be furnished with the further sum of 435,000 dollars, for the purpose of procuring the articles of military stores enumerated in their second estimate of the 24th instant.

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*WEDNESDAY, July 26, 1780.*

The medical committee, to whom was referred the memorial of Joseph Brown, brought in a report; whereupon,

*Resolved*, That Joseph Brown, surgeon to the 7th Pennsylvania regiment, have leave of absence for eight months.

The committee to whom was referred the letter from the minister of France, brought in a report; whereupon,

*Resolved*, That the frigates Trumbull, Confederacy, and Deane, and the sloop of war Saratoga, be put under the direction of gen. Washington, to be employed in co-operating with the fleet of his most Christian majesty, commanded by admirals the chevalier de Ternay, in any naval enterprizes on the coasts of North-America.

A report from the board of war was read; whereupon,

*Resolved*, That Ezekiel Cheever, Esq. and lieut. col. David Mason, who have been employed at Springfield, in the state of Massachusetts-Bay, in the department of the commissary general of military stores, be excused from farther service at that post:

That the board of war and ordnance be authorized and directed to remove any unnecessary officers at that and any other post in the department of the commissary-general of military stores, and to arrange the affairs of the whole department in such manner as they shall deem most conducive to the public service, reporting their proceedings to Congress.

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*THURSDAY, July 27, 1780.*

Whereas it is necessary that, during the war, the states be supplied with commissions, bonds and instructions for private armed vessels, and that the bonds given by the commanders of the said vessels be returned into the office of the secretary of the United States in Congress assembled:

*Ordered*, That the commissions, signed by the president, and attested by the secretary of the board of admiralty, together with the instructions and blank bonds, be lodged in the office of the secretary

of Congress, and issued from thence to the several states, on the requisition of the supreme executive powers of the said states respectively:

That the bonds executed by the commanders of the private armed vessels, to whom commissions are or may be given, be lodged in the office of the secretary of Congress:

That an account be kept in the said office of the commissions, bonds and instructions sent to the several states, and of the bonds returned by them respectively into the said office.

FRIDAY, July 28, 1780.

*Resolved*, That, until the farther order of Congress, Robert Patton, messenger, and William Hurry, door-keeper, to Congress, be allowed for their services at the rate of 40 dollars a day, continental currency, from the 20th day of April last.

Congress took into consideration the report of the board of war on the petition of Robert Jewell; whereupon,

*Resolved*, That until the further order of Congress, there be allowed to Robert Jewell, keeper of the new goal, in Philadelphia, 60 dollars a day: to each of his assistants, 50 dollars a day, and to his turnkey, 30 dollars a day, in the present continental currency, in full for their services and subsistence, and that this increased pay commence on the 1st day of March last.

MONDAY, July 31, 1780.

Congress proceeded to the election of a commissioner of the chambers of accounts; and the ballots being taken,

Mr. James M'Call was elected, having been previously nominated by Mr. Kinloch.

The board of war, to whom was referred the letter of the 26th, from the honourable the minister of France, brought in a report; whereupon,

*Resolved*, That, agreeably to the request of the honourable the minister of France, the board of war be authorised to take such measures, relating to the subsistence of the recruits which shall be enlisted into the service of his most Christian majesty, out of the German defectors from the enemy, as the said board shall deem proper.

WEDNESDAY, August 2, 1780.

Congress took into consideration the report of the committee on the letters of July 18th, 20th, and 21st, from the committee at headquarters.

The first paragraph being read, viz.

That the subject matter of the quartermaster-general's letter to the said committee at camp, so far as it regards his responsibility, has been already determined by Congress; and, as the committee knew that the quartermaster-general had requested the sense of Congress, on so important a subject, they ought not to have interfered therein:

*Resolved*, That Congress agree to the same.

*Ordered*, That the second paragraph be recommitted.

The third paragraph being read, viz.

That, upon the representation made, in the said committee's letter,

of the deficiency of the state of Pennsylvania, it is incumbent on Congress, in duty to the United States and in justice to Pennsylvania, to request the said state, through their delegates, to acquaint Congress, as precisely as possible, what supplies they have actually made for the army, in pursuance of requisitions made to them for that purpose :

*Resolved*, That Congress agree to the same.

*Ordered*, That an extract of that part of the letter of the 18th, from the committee at camp, which relates to a letter from the board of war to gen. Washington, be referred to the board of war, for their consideration :

That the letters of Jeremiah Wadsworth, to major gen. Greene, quartermaster-general, inclosed in the letter of the committee, be referred to the board of war; and that the board confer with Mr. Holker on the subject, if they think necessary :

That the memorial from col. Hazen, with the papers inclosed, and the letter from Lewis Garanger, both which are inclosed and referred to in the letter from the committee, be referred to the board of war; but that the committee at camp be informed that the said memorial and letter, together with other applications made to them, and which seem to have employed their time and attention, should have been made directly to Congress, and the committee should thus have informed their applicants.

THURSDAY, August 3, 1780.

A report from the board of treasury was read; whereupon,

*Ordered*, That the memorial of William Turnbull be referred to the board of admiralty, and that the board either accept or refuse the bills mentioned in the said memorial, as they may deem just and reasonable; and if the said bills, or any of them, be accepted, that the board of treasury be required to provide the means of payment.

*Resolved*, That, for payment of interest due on loan-office certificates, the sum of 456,000 dollars be prepared, under their direction, agreeably to a resolution of Congress dated the 28th of May, 1778, in sets of exchange, on the commissioners at Paris, of the following denominations, viz.

1000 sets of 36 dollars each,	-	-	36,000.
2000 ditto 60 ditto	-	-	120,000
2000 ditto 120 ditto	-	-	240,000
200 ditto 300 ditto	-	-	60,000

456,000

Whereas the present invaded situation of the states of South-Carolina and Georgia, renders it expedient that the loan-offices in the said states, respectively, be removed to some place of safety, until such time when they may be re-established with safety :

*Resolved*, That all monies, books and papers, appertaining to the continental loan-offices in the states of South-Carolina and Georgia, be deposited and remain in some place of safety, as contiguous as possible to the said states, to be approved by the executive authority of such states respectively, until the said offices may be re-established in the aforesaid states, respectively, with convenience and safety :

That until such offices be so fixed, and public notice given thereof, and also a notification to the board of treasury, the treasurer of the United States, be empowered to pay all interest that is or shall be due on certificates issued from either of the offices aforesaid, in the same manner that such interest is directed to be paid by the commissioners of the continental loan-offices.

SATURDAY, August 5, 1780.

Congress resumed the consideration of the report of the committee on the letter of July 26th, from major gen. Greene; whereupon,

*Resolved*, That the absolute refusal of major gen. Greene, at this important crisis, to act under the new arrangement of the quartermaster-general's department, has made it necessary that the office of quartermaster-general be immediately filled.

Congress took into consideration the report of the committee on the letter of the 30th of June last, from brig. gen. Moultrie; whereupon,

*Resolved*, That whenever Congress shall be properly notified of the breach of parole given by any citizen of the United States, as a prisoner of war to the enemy, and the circumstances relating to the same shall be ascertained, Congress will take such order thereon as the law of nations and the rules of war shall require, and that in the mean time there is no cause to apprehend from any such instance said to have happened, that prisoners who have duly observed their paroles can, upon any just principle, incur the danger of suffering by means of misconduct of any other.

*Resolved*, That capt. George Turner be discharged from the office of commissary of prisoners, and that he deliver to brig. Moultrie the bills of exchange which were given to him by major gen. Lincoln, and brig. gen. Moultrie, deliver the said bills back to Mr. Abraham Livingston, the drawer, taking his receipt, and make return of the amount of the said bills to the board of treasury.

*Resolved*, That brig. gen. Moultrie be, and hereby is, authorised to appoint a suitable person to act as commissary of prisoners in Charles-Town, and return the name of the person appointed to Congress for their approbation, if they shall judge proper.

*Resolved*, unanimously, That Congress proceed to the election of a quartermaster-general:

Congress accordingly proceeded, and the ballots being taken, Mr. Timothy Pickering was elected.

*Resolved*, That a committee of three be appointed to consider and report the terms on which Timothy Pickering, Esq. shall serve as quartermaster-general:

The members chosen, Mr. Sherman, Mr. Ward and Mr. Clark.

The committee appointed to report the terms on which T. Pickering shall serve as quartermaster-general, brought in a report; whereupon,

*Resolved*, That Timothy Pickering, Esq. having been appointed quartermaster-general upon an extraordinary emergency, be continued as a member of the board of war; but that the exercise of all his powers at the said board, and his pay as a member thereof, be suspended during such time as he shall continue quartermaster-general:

That, while he holds the office of quartermaster-general, he have the rank of colonel, and the pay and rations of a brigadier-general, over and above the pay allowed the quartermaster-general in the late arrangement of the quartermaster's department.

Congress took into consideration the report of the committee, appointed to take into consideration the state of South-Carolina and Georgia; whereupon,

*Resolved*, That the commander in chief be informed, it is the sense of Congress, the land and naval forces, as well of his most Christian majesty, as these United States, or such part thereof as he shall think necessary, be employed in the manner, and at the time that shall appear to him most convenient for the expulsion of the enemy from their several posts, in the States of South-Carolina and Georgia, and that he concert with the officers commanding the fleet and army of his most Christian majesty, the proper measures for this purpose, and carry such measures into execution, so as not to interfere with any plan of operation formed against the enemy, &c. the more immediate objects of the present campaign.

That the commander in chief (if he shall think it necessary) concert with the proper officers and ministers, such plan of operations to be undertaken by any other of his most Christian majesty's forces, or by the forces of his Catholic majesty now combined in the West-Indies, or to be drawn from the province of Louisiana, or elsewhere, as may either immediately, or in their effect, facilitate or assist the proper enterprize.

That Congress will, so soon as they shall be properly informed by the commander in chief, make the necessary requisition from the states for supplies, and afford every other aid and assistance in their power for promoting and effectually prosecuting the undertaking.

That the recruits now raising in the state of Virginia, for filling up their quota of Continental troops, be marched as soon as possible to join the southern army, under the command of major gen. Gates.

MONDAY, August 7, 1780.

A letter, of this day, from T. Pickering was read, notifying his acceptance of the office of quartermaster-general.

A report from the board of admiralty was read; whereupon,

*Resolved*, That any officer who, by virtue of his commission, or warrant, hath served, or hereafter shall serve, on board any ship of war of 20 guns and upwards, belonging to the navy of these states, and shall thereafter serve in the same rank on board any other vessel of inferior force, such officer shall receive the same pay as he was entitled to when serving in a ship of 20 guns and upwards; any resolution to the contrary notwithstanding.

The board of admiralty, to whom was referred the letter of July 28, from gov. Lee, of Maryland, report,

That the Trumbull, Deane, Confederacy and Saratoga, are the only ships that are or will be ready for sea this season; that these ships, by an act of Congress of the 26th of July last, are put under the direction of gen. Washington, to be employed in co-operating with the fleet of his most Christian majesty, commanded by the ad.

miral chevalier de Ternay, and therefore it is at present impracticable to comply with the request of the governor and council of Maryland:

*Resolved*, That Congress agree to the said report.

Congress took into consideration the report of the committee on the letter of July 10th, from gen. Washington; whereupon,

*Resolved*, That gen. Washington be and he is hereby authorised to effectuate an exchange of officers, either on the footing of equal rank, or on composition, or both, as the cases may respectively require, confining the exchange on that of composition to officers only, and having due regard to the order of captivity; such exchange to be rendered as extensive as possible in its execution, so as not only to include, on the part of the enemy, prisoners of war, but also the officers of the convention troops now on parole at New-York.

*Ordered*, That the board of war form and report an estimate of supplies for the subsistence and clothing of the officers belonging to the armies of the United States, or who were taken in their service and remain prisoners of war, either at New-York or South-Carolina, or elsewhere in the United States, and for making good to the privates, prisoners in those places, the deficiency of the short rations allowed to them by the enemy, and providing them with necessary clothing; and also of the contingent charges that may be occasioned by sickness among the prisoners; and that they report the ways and means by which the above mentioned supplies may be best furnished.

*Ordered*, That gen. Washington take the necessary steps for establishing a resident commissary of prisoners at New-York, and major gen. Gates another in South-Carolina or Georgia, to have the care of prisoners in those places, according to the usage and customs of war.

The committee on the state of South-Carolina and Georgia brought in a further report, which was taken into consideration, and thereupon,

*Resolved*, That the balance of the quota of ten millions of dollars, required of the commonwealth of Virginia by the act of Congress of May 19, 1780, be appropriated to the pay and subsistence of the continental army in the southern department, and that the executive of Virginia be requested to send on the same, when collected, to major gen. Gates, to be applied for the purposes aforesaid, as he shall direct.

Congress having been informed, that many persons in the southern department, from Virginia to Georgia, inclusive, have shewn a willingness to serve as volunteer horsemen, finding their own horses and accoutrements, during the present campaign; and being also fully convinced of the necessity of having a body of horse in the field to serve in that department:

*Resolved*, That it be recommended to the executives of the said states, respectively, to encourage and promote the raising a corps of volunteer horsemen, not exceeding 500 in the whole, submitting to major gen. Gates the number that shall be raised in each state, and that they be authorised to give the following assurances on behalf of Congress:

That officers and privates, so serving as volunteer horsemen in the southern department, during the present campaign, shall be entitled

to the same pay and rations as officers and privates of the continental light-dragoons, with an advance of one-sixth of a dollar in specie, or other money equivalent, per day, for the use of their horses; such pay, rations and allowance, to commence from the time of their arrival at head-quarters, or joining any detachment of the southern army, by order of major gen. Gates; provided, that such horsemen shall engage to serve during the campaign, or at least for the term of four months, after they shall join the army, or a detachment thereof, unless sooner discharged:

That, if any horses belonging to such volunteers shall be killed or unavoidably lost, while in actual service, Congress will credit the state to which the owners of such horses belonged for the value; provided, that such horses shall have been properly valued, on oath, agreeably to the laws of the said states, as in cases of horses impressed, and that the valuation do not exceed 100 dollars in specie for one horse.

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TUESDAY, August 8, 1780.

The board of war, to whom was referred the memorial of W. Clajon, brought in a report; whereupon,

*Ordered*, That the sum of 14,000 dollars be paid to William Clajon, secretary to major gen. Gates, on account, to enable him to proceed to join the southern army, and for his pay and subsistence money, up to this day.

*Resolved*, That in future he be allowed four rations, the value of three of them to be paid him in subsistence money, agreeably to the resolution of August 18, 1779.

The board of war, to whom was referred the letters of July 20, from gen. Washington and brig. gen. Maxwell, report,

That hitherto, when an officer resigned his commission in our army, he also resigned all pretensions to any rewards or benefits arising from his appointment; nor would it be politic or just that officers quitting the service, before the termination of the war, should receive the like rewards with those who continue in service until it be brought to a period: It is however consistent with the intention of Congress, as expressed in the resolution of the 10th day of April last, that officers whose resignations are accepted by Congress, after that resolve, should enjoy all the benefits accruing therefrom, as will appear by the proviso at the close of the resolution, the terms thereof clearly comprehending brig. gen. Maxwell's case, the board conceive no further act of Congress necessary;

*Resolved*, That Congress agree to the said report.

The board of admiralty, to whom was referred the petition of capt. Henry Mitchell, report,

That the vessel and cargo mentioned in the said petition, as having been seized by capt. Nicholson, of the continental frigate Deane, being libelled in the maritime court in the state of Massachusetts-Bay, is in course of procedure to bring the legality of the capture to a decision, and therefore it is inexpedient for Congress to interfere in the matter:

*Resolved*, That Congress agree to the said report.

A letter, of this day, from H. Hollingsworth, was read; whereupon,

*Ordered*, That the board of treasury enquire into the circumstance of the supposed forgery of Robert Anderson's name to a receipt, offered as a voucher, in support of the accounts of H. Hollingsworth, and report to Congress.

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*WEDNESDAY, August 9, 1780.*

On a motion by Mr. Walton, seconded by Mr. Bee,

*Resolved*, That the board of treasury be directed to prepare bills of exchange, of suitable denominations, upon the hon. Benjamin Franklin, minister plenipotentiary at the court of Versailles, for 100,000 dollars in specie.

*Resolved*, That the bills be made payable at 90 days sight.

The committee to whom was referred the letter from the hon. R. Izard, late commissioner to the court of Tuscany, brought in a report, which was read; whereupon,

*Resolved*, That Congress are convinced of the faithful endeavours of Mr. Izard to fulfil the objects of the commission to which he was appointed by them on the 7th of May, 1777, and approve of the reasons which determined him not to proceed to the court of Tuscany.

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*FRIDAY, August 11, 1780.*

The board of war, to whom was referred the extract from Mr. Bradford's letter of the 12th of July last, brought in a report; whereupon,

*Resolved*, That Congress approve the conduct of John Bradford, continental agent, in delivering to the deputy-quartermaster-general at Boston, 188 pieces of ticklenburg, and in delivering to messrs. Otis and Henly 37 pieces of oznaburgs.

*Ordered*, That the committee appointed on the 13th day of April last, to repair to head-quarters, be discharged from further attendance there, and that they report their proceedings to Congress.

On motion of the delegates for the state of New-Jersey:

*Resolved*, That Joseph Borden, of Bordenton, Esq. commissioner of the continental loan-office for the state of New-Jersey, or the commissioner of the said office for the time being, be appointed commissioner, on the part of the United States, to endorse the bills of credit to be issued by the state of New-Jersey, in pursuance of the resolutions of the 18th day of March last; and that, in case of the disability of the said Joseph Borden, or the commissioner of the said loan-office for the time being, Joseph Kirkbride, of Bordenton, aforesaid, be appointed to endorse the said bills.

*Resolved*, That a committee of three be appointed to report the salaries of the judges of the court of appeals in cases of capture, and of the commissioners, clerks and others, employed in the several boards, and other officers acting immediately under Congress; that the same may be paid, as they come due, in specie, or other current money equivalent; and that after they are ascertained and fixed, no further advances be made on account of salary:

The members chosen, Mr. Houstoun, Mr. Hanson and Mr. Sherman.

The committee to whom was referred the letter from Mr. Izard, laid before Congress an account exhibited by Mr. Izard against the

United States for his expenses and salary, in which a balance of 52,113 livres is stated to be due to Mr. Izard; whereupon,

*Resolved*, That the hon. Henry Laurens be, and is hereby authorised and directed to pay to the order of the hon. Ralph Izard, the sum of 52,113 livres tournois, out of such monies as he shall borrow, for the use of the United States, in Holland.

*Resolved*, That the board of admiralty be informed, that it is not the sense of Congress, by agreeing with their report on the petition of Henry Mitchell, that persons coming with their effects to settle in these United States, or persons removing their property from the dominions of Great-Britain, who can, by protections obtained from any of the ministers of these United States, make it appear that their design was only to remove their property from the power of the enemy, or who are bringing arms, ammunition or military stores to these United States, agreeably to the resolution of March 23d, 1776, should be molested by unnecessary suits.

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SATURDAY, August 12, 1780.

*Ordered*, That brig. gen. Moultrie make return of the person whom he shall appoint commissary of prisoners in Charles-Town, to major gen. Gates, or the commanding officer in the southern department, for his approbation; and that so much of the resolution of the 5th, as requires brig. gen. Moultrie to make return to Congress, be and is hereby repealed.

The board of war report,

That, pursuant to a resolution of July 26th, they have enquired into the state of the department of military stores; and upon mature deliberation, propose to retain in service,

One commissary-general of military stores,

One deputy-commissary-general,

One commissary at Springfield,

One commissary at Carlisle,

One commissary in Virginia;

And two or three other commissaries, or deputy-commissaries, at some subordinate posts and stations:

They also propose to retain but one officer to each company of artificers, who, with his serjeants, will be competent to the proper direction of his men.

That the pay of a commissary of military stores be not less than 360, nor more than 1750 dollars per month:

That the pay of a deputy commissary, or a conductor of military stores, be not less than 240, nor more than 1000 dollars per month:

That the pay of the clerks be fixed by the board of war and ordnance, in proportion to their respective merit and services.

That the pay of a captain of artillery artificers be 900 dollars per month:

A captain-lieutenant 750 dollars per month:

A lieutenant 600 dollars per month:

A serjeant from 150 to 200 dollars per month:

A corporal, acting as a foreman in any branch of work, the same pay as a serjeant:

Other corporals, and drummers, fifers and privates, from 30 to 150 dollars per month :

That the pay of the commissaries, deputy-commissaries and conductors, to be confined within the limits beforementioned, be fixed according to their respective merit and services, by the board of war and ordnance :

That the pay of the non-commissioned officers and privates be fixed according to their respective merit and services, within the limits before mentioned by the major part of their commissioned officers, who shall meet together monthly for that purpose :

That a daily ration of forage be allowed only to such commissaries and conductors of military stores, whose frequent travelling shall, in the opinion of the board of war, require the same.

*Resolved*, That Congress agree to this report, and that the same be carried into execution until the further order of Congress.

Congress took into consideration the report of the committee on the memorial of the general officers ; whereupon,

*Resolved*, That the said general officers be informed that Congress have at no time been unmindful of the military virtues which have distinguished the army of the United States through the course of this war ; and that it has been constantly one of the principal objects of their care, not only to provide for the health and comfort of the army, but to gratify their reasonable desires, as far as the public exigencies would admit :

That patience, self-denial, fortitude and perseverance, and the cheerful sacrifice of time and health, are necessary virtues which both the citizen and soldier are called to exercise while struggling for the liberties of their country ; and that moderation, frugality and temperance, must be among the chief supports, as well as the brightest ornaments, of that kind of civil government which is wisely instituted by the several states in this union :

That it has been recommended to the several states to make compensation for the officers and soldiers to them respectively belonging, for the depreciation of their pay ; and that Congress will take speedy measures for liquidating and paying what is due on that account, to the officers and soldiers who do not belong to the quota of any state :

That from and after the 1st day of August, 1780, the army shall be entitled to receive their pay, as stated before the 1st day of January, 1777, in the new bills emitted pursuant to the resolution of Congress of the 18th of March last :

That the officers shall hereafter be allowed 5 dollars per month, in the said new bills, for each retained ration :

That the board of war be directed to report to Congress a list of the officers not belonging to the quota of any state, with an account of the balance due to each, to make their pay good for past services, agreeably to the resolution of Congress of the 10th day of April last :

That such of the states as have not made compensation to their officers and soldiers, agreeably to the recommendation of August 17th, 1779, be and they are hereby requested to do it as soon as possible :

That the provision for granting lands, by the resolution of Septem-

ber 16th, 1776, be and is hereby extended to the general officers, in the following proportion :

To a major-general, 1100 acres,

A brigadier-general, 850 ditto :

That the officers of the army be furnished, as soon as possible, with two months pay, on account, to relieve their present wants, mentioned in their memorial.

*TUESDAY, August 15, 1780.*

On a report of the board of treasury, to whom was referred a motion respecting the sale of the bills ordered to be drawn by the resolution of the 9th, and the appropriation of the monies arising from the sale :

*Resolved*, That the bills of exchange directed to be prepared by the resolution of the 9th, on the honourable Benjamin Franklin, minister plenipotentiary at the court of Versailles, to the amount of 100,000 dollars, specie, be filled up by the commissioner of the continental loan-office for the state of Pennsylvania, and made payable to Joseph Clay, deputy-paymaster-general in the southern department, or order :

That the said bills be transmitted to the said Joseph Clay, to be sold at par for specie, or bills emitted agreeably to the resolution of the 18th of March last, or for other monies, agreeably to the instructions of the board of treasury, or to be disposed of for provisions and necessaries for the army, on the best terms that can be obtained, for the United States :

That the monies arising from such sale, be applied under the direction of the commanding officer in the southern department, to the purchase of provisions and other supplies absolutely necessary for the subsistence of the southern army ; and that the said Joseph Clay be, and hereby is required to give regular and constant information to the board of treasury respecting the sale of the bills and the application of the monies aforesaid ; and that the aforesaid Joseph Clay, deputy-paymaster-general in the southern department, be charged in the treasury books, with the aforesaid bills, amounting to the sum of 100,000 dollars specie.

Congress took into consideration the report of the board of treasury, pursuant to the order of the 8th, and the letter from H. Hollingsworth ; whereupon,

*Resolved*, That all the papers relative to a supposed forgery in the vouchers of accounts of Henry Hollingsworth, mentioned in the order of the 20th of July last, with the names of the witnesses, be sent by the board of treasury to the executive of the state of Maryland, for the purpose expressed in the said order ; and that the chamber of accounts, who examined the said vouchers, furnish the said board with the names of such witnesses as they may think material.

The committee to whom was referred the letter of the 9th from Charles Pettit, brought in a report ; whereupon,

*Resolved*, That the assistant-quartermaster-general be allowed one or more clerks, as the nature of the service may require and the board of war shall approve.

The board of treasury, to whom was re-committed their report on the letter of governor Greene, brought in a report ; whereupon,

*Resolved*, That the following letter be written by the president of Congress to governor Greene :

SIR,

YOUR letter of the 22d and 25th of last month, to the delegates of your state, have been laid before Congress; and, in answer thereto, I am to acquaint you, that Congress have a proper sense of the exertions of the state of Rhode-Island and Providence Plantations, in the common cause :

That any disbursements which may be made by that state, for the use of the United States, beyond its quota, shall be reimbursed as soon as circumstances will admit :

That Congress depend on the several states for the necessary supplies of money for carrying on the war :

That the bills of credit to be emitted, in pursuance of the resolutions of the 18th of March last, will yield a supply as soon as the several quotas of the continental bills of credit are collected to be destroyed :

That the quota of the aforesaid bills for your own state, shall be transmitted as soon as possible after a copy of the act complying with the resolution is received.

If taxes were laid, payable in new bills or specie, it would have a good tendency to introduce the said bills into circulation in full credit.

WEDNESDAY, August 16, 1780.

A letter, of May 28th, from the honourable J. Jay was read, informing that he had seen a resolution of Congress of November 8th, 1779, by which the late and former presidents are desired to lodge, as soon as they conveniently can, in the secretary's office, copies of all public letters by them respectively written during their presidency: that after he had resigned the chair, and immediately on the election of his excellency Samuel Huntington, he delivered to him a book, containing copies of public letters he had written during his presidency, to be lodged in the secretary's office, which he presumes was done; and that it gave him concern therefore to find the resolution made to extend to him; and desiring that it may appear by the entry made on the receipt of this letter, that he had done that part of his duty in season, and without the express order of Congress.

THURSDAY, August 17, 1780.

A report from the board of treasury was read; whereupon,

*Resolved*, That the board of treasury be and hereby are authorised to honour, without further advice, such bills of exchange as, in the opinion of the board, appear evidently to have been drawn by major gen. Lincoln, on the president of Congress, although not contained in any letter of advice, agreeably to the terms prescribed by the resolutions of Congress of the 23d of March and 10th of July last.

The committee to whom was referred the letter of the 3d from the count Rochainbeau, brought in a report; whereupon,

*Resolved*, That Congress have a just sense of the vigilance and prudence of the commanders of the fleet and army of our ally, in taking the precautions mentioned in the letter of monsieur the count de P...  
...

chambeau, of the 3d of August, as well as of his attention to the ease and convenience of the militia of these states. The spirit, good order and discipline of the troops under his command, deserve their warmest approbation.

The committee to whom was referred the petition of John P. Linch, and the report of the court of appeals thereon, brought in a report; whereupon,

*Ordered*, That John P. Linch, now confined in the state prison, as a prisoner of war, be discharged.

FRIDAY, August 18, 1780.

A report from the board of admiralty was read; whereupon,

*Resolved*, That it is not necessary any longer to continue John Nixon and John M. Nesbit, Esq's, in their agency for prizes; and therefore,

*Resolved*, That the said John Nixon and John M. Nesbit, continental agents for prizes in the state of Pennsylvania, be discharged, and that they account, without delay, with the board of admiralty.

*Resolved*, That until the further order of Congress, the board of admiralty, *ex officio*, take charge and direct the disposition of all prizes which may be brought into the state of Pennsylvania.

Congress resumed the consideration of the proceedings of the court-martial on the trial of doctor Shippen, director-general, and thereupon resolved as follows:

The court-martial having acquitted the said doctor Shippen;

*Ordered*, That he be discharged from arrest.

SATURDAY, August 19, 1780.

A letter, of this day, from T. Pickering, quartermaster-general, was read; whereupon,

*Resolved*, That major gen: Greene, late quartermaster-general, be and hereby is directed to furnish col: Pickering, quartermaster-general, with returns of all buildings, vessels and craft, horses, waggons, stores and articles, of what kind soever, in possession or under the direction of any officers or persons employed under him in his late department, and which are occupied on account of or belong to the United States; and also with full information in writing of all public contracts and purchases by them made, of which the terms have not been fully executed; or the services or articles contracted for or purchased have not been completely rendered or delivered.

That in the mean time he direct all officers and others employed under him, on the demand of any deputy or store-keeper appointed under the plan for regulating the quartermaster-general's department, to deliver to such deputy or store-keeper, on their producing their appointments respectively, and the orders of the quartermaster-general to receive them, all the articles before enumerated, and any others in their possession or under their direction, which are occupied on account of or belong to the United States, together with the written evidences of the contracts and purchases aforesaid which yet remain unexecuted.

The board of treasury, to whom was recommitted their report on

the letter of the 15th from gen. Rutledge, brought in a report, whereupon,

*Ordered*, That the board of treasury furnish governor Rutledge, of South-Carolina, with bills of exchange drawn on the honourable Benjamin Franklin, minister plenipotentiary from the United States, at the court of Versailles, at 60 days sight, to the amount of 2000 dollars, to be charged in specie to the said state of South-Carolina.

MONDAY, August 21, 1780.

A report from the board of treasury was read; whereupon,

*Resolved*, That the board of treasury be empowered to rent apartments for the accommodation of the treasury, and pay for the same in specie, or current money equivalent.

On motion of the delegates for New-York,

*Resolved*, That Abraham Yates, jun. commissioner of the continental loan-office for the state of New-York, or the commissioner of the said loan-office for the time being, be and hereby is appointed commissioner, on the part of the United States, to endorse the bills of credit to be issued by the state of New-York, in pursuance of the resolutions of Congress of the 18th day of March last; and that in case of the disability of the said Abraham Yates, jun. or the commissioner of the said loan-office for the time being, Abraham G. Lansing be appointed to endorse the said bills.

TUESDAY, August 22, 1780.

Congress took into consideration the report of the committee to whom was re-committed the report on the extract from the letter of W. Denning, and thereupon came to the following resolution:

Whereas it is of the utmost importance effectually to prevent the destruction, waste, embezzlement and misapplication of the public stores and provisions, upon which the existence of the armies of these United States may depend, and no adequate provision hath been made for the just punishment of delinquents in the departments of the quartermaster-general, commissary-general of purchases, commissary-general of issues, clothier-general, commissary-general of military stores, purveyor of the hospitals, and hide department; therefore,

*Resolved*, That every person in any of the said departments, intrusted with the care of provisions, or military or hospital stores, or other property of these United States, who shall be convicted, at a general court-martial, of having sold, without a proper order for that purpose, embezzled, or wilfully misapplied, damaged or spoiled, any of the provisions, horses, forage, arms, clothing, ammunition, or other military or hospital stores, or property belonging to the United States of America, shall suffer death, or such other punishment as shall be directed by a general court-martial, according to the nature and degree of the offence, at the discretion of such court; and every person in any of the said departments, intrusted as aforesaid, who shall be convicted at a general court-martial of having, through neglect suffered any of the articles aforesaid to be wasted, spoiled or damaged, shall suffer such punishment as the said court shall, in their discretion, direct, according to the degree of the offence.

Congress took into consideration the report of the committee on the letter from Mr. Lotbinier; and thereupon,

*Ordered*, That the board of treasury make such an adjustment of the account of the Rev. Lewis Lotbinier, as that he may receive the full benefit of the stipulation made to him by gen. Arnold, on the 26th of January, 1776, and confirmed by Congress on the 10th of August following.

WEDNESDAY, August 23, 1780.

Congress took into consideration the report of the board of treasury on the letter from col. Pickering, quartermaster-general, and thereupon came to the following resolutions:

*Resolved*, That no certificates issued in the quartermaster's and commissary's departments after the 15th day of September next, afford any claim upon the United States, unless issued under the following regulations:

1st. That they be for services performed or articles purchased within their respective departments.

2dly. The quartermaster-general and commissary-general shall themselves sign all such certificates as are issued in their respective departments.

3dly. All such certificates shall be given for specie, or other current money equivalent.

4thly. All contracts or purchases made, for which certificates shall be given, shall be made for specie value.

5thly. The articles so purchased shall be enumerated in such certificates, with the rates and prices thereof; and the prices shall be reasonable when the present circumstances of our affairs are compared with the cost of articles of like quality, or services performed, in the year 1775, or when compared with the allowance by Congress to the United States, as expressed in their resolution of the 25th of February last.

*Resolved*, That certificates issued under and agreeably to the foregoing regulations, shall bear an interest of six per cent. per annum, from the time stipulated for payment, until paid.

*Resolved*, That the quartermaster-general and commissary-general be and hereby are strictly enjoined to make monthly returns of their purchases and proceedings to the board of war, and make monthly returns, to wit, on the last day of every month, to the board of treasury, of all certificates so issued as aforesaid.

The board of treasury, to whom was referred the report of the board of war, delivered in a report; whereupon,

*Resolved*, That the board of treasury be and hereby are empowered to direct Thomas Smith, commissioner of the continental loan-office, for the state of Pennsylvania, to sell, under their direction, for specie, the bills ordered to be drawn on the hon. J. Jay, which were reserved for the use of the prisoners of war of the United States, amounting to 71,350 dollars, specie:

That one half of the specie aforesaid be applied, under the direction of the board of war, for the purpose of supplying the prisoners of war in the states of South-Carolina and Georgia:

That the other half of the specie aforesaid, be forwarded, under the direction of the board of war, to the commissary of prisoners, in the middle department, for the supply of the prisoners at New-York:

That the board of treasury be and hereby are empowered to prepare bills of exchange, to be drawn on the hon. Benjamin Franklin, minister plenipotentiary at the court of Versailles, at 90 days sight, to the amount of 150,000 dollars, specie; the amount of the estimate from the board of war. That so much thereof as will complete the estimate of the board of war, be sold for specie, and forwarded to the commissaries of prisoners in the middle and southern departments, under the same regulations, and for the same purposes as aforesaid; the residue of the 150,000 dollars, to replace the 71,340 dollars aforesaid, be reserved for the special direction of Congress.

THURSDAY, August 24, 1780.

Congress took into consideration the report of the committee on the memorial of the general officers; and thereupon,

*Resolved*, That the officers of the line of the army, commanding corps, when in camp, be allowed to draw so many of the rations of provisions heretofore withheld, as the commander in chief, or the commander of a separate army, shall judge necessary; but that no provision be issued for back-rations not drawn on the days they became due.

That if it shall appear that the subsistence money, allowed to officers in lieu of the rations withheld, is not equal to the cost of the rations, the deficiency shall hereafter be made up to them:

That the resolution of the 15th day of May, 1778, granting half-pay for seven years to the officers of the army who should continue in service to the end of the war, be extended to the widows of those officers who have died, or shall hereafter die in the service; to commence from the time of such officers' death, and continue for the term of seven years; or if there be no widow, or in case of her death or inter-marriage, the said half-pay be given to the orphan children of the officer dying as aforesaid, if he shall have left any; and that it be recommended to the legislatures of the respective states to which such officers belong, to make provision for paying the same, on account of the United States:

That the restricting clause in the resolution of May 15th, 1778, granting half-pay to the officers for seven years, expressed in these words, viz. "and not hold any office of profit under these states, or any of them," be and is hereby repealed.

FRIDAY, August 25, 1780.

*Resolved*, That major gen. McDougall be entitled to receive the allowance of a major gen. in a separate department, during the time he commanded the posts in the Highlands.

On motion of Mr. Henry, seconded by Mr. Adams,

*Resolved*, That when the governors or presidents of two or more states act in the field together, he who has been longest in office shall take rank of all other governors or presidents, except the governor or president of the state in which they are; who, in his own state, notwithstanding he may be youngest in office, always takes rank.

*Resolved*, That whenever the governors or presidents of states act in conjunction with continental troops, they shall, for the time they so act in conjunction, have the rank of major gen. in the line of the army:

Provided always, that nothing in the above resolutions shall exclude the governor of any state from a separate command over the militia of the state in which he presides, where not inconsistent with the particular views of the commander in chief.

On motion of Mr. Livingston, seconded by Mr. Armstrong,

*Resolved*, That the half-pay of general officers be proportioned to their pay.

Congress took into consideration the report of the committee on the letter of the 18th, from governor Rutledge; and thereupon,

*Resolved*, That governor Rutledge be informed, that Congress have paid, and will continue to pay, attention to all who have had the misfortune of being captivated by the enemy; and that those captivated at the surrender of Charles-Town, will equally share the care and attention of Congress with those captivated in any other of the United States.

*Resolved*, That the remaining part of governor Rutledge's letter, respecting a supply of arms and ammunition for the army under major gen. Gates, be referred to the board of war, to take order.

On motion of Mr. Bee, seconded by Mr. Walton, Congress passed the following resolution:

It being represented to Congress, that four good pilots, for the coasts and bars of South-Carolina and Georgia, are now in this city:

*Resolved*, That the board of admiralty be and hereby are directed to retain them in the service of these United States, and engage them to remain here until the further order of Congress.

*Resolved*, That Friday, the 1st of September next, be assigned for electing a member of the court of appeals, in the room of the late Mr. Hofner, deceased.

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*SATURDAY, August 26, 1780.*

*Resolved*, That the resolution of December 27th, 1779, ordering, "That the post-office be so regulated as that the post shall set out and arrive at the place where Congress shall be sitting, twice in every week, to go so far as Boston, in the state of Massachusetts-Bay, and to Charles-Town, in the state of South-Carolina," be and hereby is repealed.

Whereas a large and immediate supply of money is necessary for carrying on the operations of the war, and for the payment of debts due for supplies heretofore furnished, and for the payment of interest on loan-office certificates:

*Resolved*, That it be earnestly recommended to the several states, to take the most speedy and effectual measures in their power, for drawing in their respective quotas of the continental bills of credit, to be destroyed, either by a tax to be collected immediately, or by exchanging for them new bills, to be emitted pursuant to the act of the 18th of March last, at a rate not less than forty of the former for one of the latter; so that the whole of the said new bills may be issued:

That it be recommended to the several states to raise by taxes, payable in the bills emitted pursuant to the act aforesaid, or in specie, their respective quotas of 3,000,000 of dollars, agreeable to the apportionment of October 7th, 1779, and pay the same into the treasury of the United States, as soon as possible; the payment to be fully completed by the last day of December next, each state to be allowed interest for the same, from the time it is paid, to be hereafter adjusted, according to a resolution of October 6th, 1779:

That major gen. Greene, late quartermaster-general, and Jeremiah Wadsworth, late commissary-general of purchases, and the present commissary-general of purchases, respectively, render an account to the board of treasury, of the amount of the monies due from them, on certificates or otherwise, on public account, specifying the sum due in each state, in order that warrants may issue in their favour on the treasurers of such states, for payment of the same, out of the monies to be collected for the United States as aforesaid, which warrants being paid, shall be accepted by the treasurer, toward such state's quota of the monies to be raised as aforesaid; and it is further recommended to such states, to provide that the certificates of the said quartermaster and commissaries, and those who purchased under them, be received in payment of the said taxes, to the amount of such warrants, under proper regulations, for preventing fraud.

And to prevent the possibility of any depreciation in the bills to be emitted agreeably to the act of the 18th of March aforesaid, that it be most earnestly recommended to the several states, not to issue bills of credit for a currency on any consideration whatever, to a greater amount than their respective quotas of the new bills stated in the act aforesaid; and that the bills of credit emitted by any of the states since the 1st day of January last, and redeemable in specie at par, be considered as part of the proportion of the money reserved by the said act of the 18th of March, to the use of the state.

*Resolved*, That all and singular the creditors of these United States, for supplies furnished the army, or the transportation thereof, shall be entitled to receive the just value of the sums due to them respectively, in the bills of credit emitted pursuant to the act of the 18th of March last, the value of the sums due to be ascertained according to the current value of continental bills of credit compared with specie, at the time the money became due, at the place where the supplies were furnished: provided the same do not exceed the prices fixed for such supplies, by the act of the 25th of February last, or a proportionate value for services done, and articles furnished, not mentioned in the said act; but if the nominal sum in continental currency, contracted for, when reduced to specie value as aforesaid, shall exceed the fixed prices aforesaid, the creditor shall be entitled to receive the amount of the supplies furnished or services done at the said fixed or proportionate prices, in the new bills aforesaid, or the nominal sum contracted for in continental bills of credit, and no more, at his election:

That the accounts, been duly examined and adjusted by the rule aforesaid, by commissioners that may be appointed agreeably to the resolution of the 12th of June last, to settle the accounts of officers,

of the staff departments in the several states, or by the officer who made the contract, or by whom the payment is to be made, the same shall be paid or a certificate given for the sum justly due, certifying that the same has been duly examined and adjusted, agreeably to the directions aforesaid; and if paid in the new bills, the interest on the said bills, shall be computed to the date of such certificate:

That all debts due to the United States for monies received for their use, or otherwise, within any of these states, shall be paid according to the just value of the money when it was received, or became due, to be ascertained as aforesaid.

*Resolved*, That the council of the state of Massachusetts-Bay be informed, that the French army was not considered in the general estimate of supplies called for by Congress, and that therefore, the state cannot be credited on its quota for such articles as it may furnish to our allies.

MONDAY, August 28, 1780.

*Resolved*, That the quartermaster-general be and hereby is authorized and directed to make sale of all buildings and other property belonging to the United States under his care, which, in his opinion, are not wanted for public use, and render an account of such sales to the board of treasury, that he may be charged with the money arising thereon.

*Resolved*, That it be recommended to the executive council of the state of Connecticut to supply, on the account of that state's quota, Solomon Southwick, deputy-commissary-general of issues with 250 barrels of flour, on or before the last of September next; for which the said Solomon Southwick is to be accountable, to enable him to replace what he hath borrowed on public account.

TUESDAY, August 29, 1780.

On motion of the delegates for Massachusetts-Bay:

*Resolved*, That Thomas Walley and Peter Boyer be appointed, in addition to Nathaniel Appleton and Joseph Henderson, commissioners on the part of the United States, any one of them to endorse the bills that shall be emitted by the state of Massachusetts-Bay, pursuant to the resolution of Congress of the 18th day of March last.

WEDNESDAY, August 30, 1780.

Mr. Theodorick Bland, a delegate for the state of Virginia, attended and produced the credentials of the delegates from that state, which were read.

A report from the board of war was read; whereupon,

*Resolved*, That major Joseph Eayres and captain Nathaniel Chapman, who have been employed at Springfield, in the department of the commissary-general of military stores; major Charles Lukens, at Carlisle, and captain-lieutenant E. Godfrey, at Philadelphia, be excused from further service.

*Resolved*, That bills of exchange on Europe be prepared by the board of treasury, to be drawn on the honourable Benjamin Franklin, to the amount of 29,105 dollars specie; and that the same bills be

transmitted to John Bradford, to be by him paid to John Garcia Duarti, in full payment of the £.18,441 13s. 4d. due to him in continental money on the 11th May, 1778.

Congress took into consideration the report of the committee on the memorial of William Murray; and thereupon,

*Resolved*, That it be recommended to the president and privy council of the state of Delaware, to permit William Murray, master of the schooner Betsey and Nancy, of Bermudas, to export, in the said vessel, to the value of the present cargo of salt by him imported into and sold in that state, in flour, Indian-corn, or other produce, for the use of the distressed inhabitants of the said island; taking security from him that the same shall not be applied to any other use.

FRIDAY, September 1, 1780.

*Resolved*, That Jacob Hiltzheimer be allowed at the rate of 40 dollars per month, in the new currency, emitted pursuant to the act of the 18th of March, for his service in providing for the horses under his care, to commence from the 16th of February, 1780; and that he be allowed 600 dollars in the said currency for his services previous to that time.

*Resolved*, That what is now due, or that may hereafter become due for keeping the said horses, be paid to the said Jacob Hiltzheimer by the respective owners; that duplicate receipts be taken for the same, one of which to be lodged with the auditor-general: That the said J. Hiltzheimer be charged with the monies so received, and apply the same for defraying the expenses of keeping the said horses; any former resolution to the contrary notwithstanding.

*Resolved*, That the continental bills of credit, as they are brought into the loan-offices, pursuant to the act of Congress of the 18th of March last, be immediately struck through with a circular punch of one inch diameter, to be afterwards examined and burned, as Congress shall direct.

TUESDAY, September 5, 1780.

*Resolved*, That the board of treasury be and hereby are authorized to prepare loan-office certificates, agreeably to the underwritten form, to the amount of 1,000,000 of dollars, equal in value to specie; and that the board have power to stop the issuing all loan-office certificates under former resolutions of Congress, so soon as the present are prepared to issue; and that all monies, after that period loaned, shall be loaned and received at specie value.

Dollars, Number.

The United States of America acknowledge the receipt of the value of Spanish milled dollars from which they promise to pay to the said or bearer, in specie or other current money equivalent, on the day of with interest annually, at the rate of 6 per cent. per annum, agreeably to a resolution of Congress passed the 5th day of September, 1780.

Witness my hand, this day of Anno Domini

*WEDNESDAY, September 6, 1780.*

Congress took into consideration the report of the committee to whom were referred the instructions of the general assembly of Maryland to their delegates in Congress, respecting the articles of confederation, and the declaration therein referred to, the act of the legislature of New-York on the same subject, and the remonstrance of the general assembly of Virginia; which report was agreed to, and is in the words following:

That having duly considered the several matters to them submitted, they conceive it unnecessary to examine into the merits or policy of the instructions or declaration of the general assembly of Maryland, or of the remonstrance of the general assembly of Virginia, as they involve questions, a discussion of which was declined on mature consideration, when the articles of confederation were debated; nor, in the opinion of the committee, can such questions be now revived with any prospect of conciliation; that it appears more advisable to press upon those states which can remove the embarrassments respecting the western country, a liberal surrender of a portion of their territorial claims, since they cannot be preserved entire without endangering the stability of the general confederacy; to remind them how indispensably necessary it is to establish the federal union on a fixed and permanent basis, and on principles acceptable to all its respective members; how essential to public credit and confidence, to the support of our army, to the vigour of our councils and success of our measures, to our tranquility at home, our reputation abroad, to our very existence as a free, sovereign and independent people; that they are fully persuaded the wisdom of the respective legislatures will lead them to a full and impartial consideration of a subject so interesting to the United States, and so necessary to the happy establishment of the federal union; that they are confirmed in these expectations by a review of the beforementioned act of the legislature of New-York, submitted to their consideration; that this act is expressly calculated to accelerate the federal alliance, by removing, as far as depends on that state, the impediment arising from the western country, and for that purpose to yield up a portion of territorial claim for the general benefit; whereupon,

*Resolved*, That copies of the several papers referred to the committee be transmittted, with a copy of the report, to the legislatures of the several states, and that it be earnestly recommended to those states, who have claims to the western country, to pass such laws, and give their delegates in Congress such powers, as may effectually remove the only obstacle to a final ratification of the articles of confederation; and that the legislature of Maryland be earnestly requested to authorise their delegates in Congress to subscribe the said articles.

A report from the board of war was read; whereupon,

*Resolved*, That the resignation of captain Alexander Lawson Smith, of the regiment formerly Rawling's, be accepted.

*THURSDAY, September 7, 1780.*

*Resolved*, That the depreciation of the money received by the officers of the army not belonging to the quota of any state, be set.

tled at the rate fixed for the payment of loan-office certificates, by a resolution of the 18th of June last.

FRIDAY, September 8, 1780.

*Resolved*, That magazines of provisions and forage for 15,000 men for 6 months, be immediately provided and laid up for the southern army:

That two-thirds of the flour and beef required from Maryland, by the resolution of the 25th of February last, be retained in that state, for the above purpose, and stored at some safe and convenient places on or near navigable water.

*Resolved*, That North-Carolina furnish magazines of forage, flour and salted provisions to the utmost of their ability, to be stored at such convenient places as to the commanding officer in the southern department shall appear most eligible:

That it be earnestly recommended to the state of North-Carolina, to use every exertion possible to fill up her quota of continental troops:

That the executive authority of Virginia be requested to equip and hasten forward the troops raised and now raising in that state, as mentioned in governor Jefferson's letter to Congress of the 3d instant:

That the state of Maryland be earnestly requested to complete and forward to the southern army, her quota of regular troops, as formerly ascertained.

SATURDAY, September 9, 1780.

*Resolved*, That the ship Chase, now lying at Baltimore, be stripped of her sails, rigging and other furniture, and her hull and cargo sold at public sale, under the direction of the commercial committee.

*Resolved*, That until the further order of Congress, no interest be computed on the new bills that shall be received by the officers, soldiers and seamen of the army and navy, for their pay or subsistence.

MONDAY, September 11, 1780.

Mr. J. Sullivan, a delegate for the state of New-Hampshire, attended and produced his credentials, which were read.

*Resolved*, That the state of Virginia be requested to furnish her quota of supplies as speedily as may be, agreeably to the requisition of Congress of the 25th of February last, with an addition of 5000 barrels of flour, to be deposited in magazines at such place or places as the commanding officer in the southern department shall direct.

*Resolved*, That the expediency of immediately sending forward to the southern army a corps of artillery and a reinforcement of cavalry, and such other force as can be spared from the main army, be referred to the commander in chief.

TUESDAY, September 12, 1780.

A letter, of the 9th, from gen. Washington was read, inclosing a letter of the 8th, from major gen. R. Howe, and also a letter of the 8th, from brigadier John Nixon, requesting leave, on account of his state of health, to resign, whereupon,

*Resolved*, That the resignation of brigadier John Nixon, be accepted, on account of his ill state of health.

Nine states, exclusive of the states interested, not being represented:

*Resolved*, That the order of the day, to proceed to hear and examine into and finally determine the disputes and differences relative to jurisdiction, between the three states of New-Hampshire, Massachusetts-Bay and New-York, respectively, or such of them as shall have passed such laws as are mentioned in the resolutions of the 24th of September and the 2d of October last, on the one part; and the people of the district commonly known by the name of the New-Hampshire Grants, who claim to be a separate jurisdiction, on the other, in the mode prescribed in and by the said resolutions; be postponed till Thursday next, and that the members in town be notified to attend the house at 10 o'clock in the morning of that day.

WEDNESDAY, September 13, 1780.

*Resolved*, That the officers and others undermentioned, be allowed by the year the sums following, that is to say,

Judges of the court of appeals in cases of capture, each, 2250 dollars;

Secretary of Congress, 2000 dollars;

Chaplains of Congress, each, 400 dollars;

Commissioners of the board of war and ordnance,

Commissioners of the board of treasury and admiralty, each, 1850 dollars;

Treasurer, 2000 ditto;

Auditor general, 1750 ditto;

Assistant-auditor-general, 1200 ditto;

Commissioners of the chambers of accounts, each, 1500 ditto;

Auditors of accounts at the army, each, besides a

ration of provisions and forage for a horse, while with the army, 1200 ditto;

Treasurer of loans, 900 ditto;

Postmaster-general, 1000 ditto;

Secretary and comptroller of the post-office, 500 ditto;

Interpreter and translator of foreign languages, 600 ditto;

Secretary of the board of war, 1500 ditto;

Secretary of the board of ordnance, who is paymaster of the board of war and ordnance, 900 ditto;

Secretary to the board of treasury, 1100 ditto;

Secretary of the board of admiralty, 1100 ditto;

Deputy secretary of Congress, 1000 ditto;

Messenger and door-keeper to Congress, each, 400 ditto.

*Resolved*, That the said salaries and wages be paid quarterly, for the time of attendance and service, in specie or other current money equivalent.

*Resolved*, That when it is necessary that persons be employed under any of the boards on public accounts, for temporary purposes, they be paid such wages as is suitable to the service; always taking care that they be retained no longer than necessity shall require.

THURSDAY, September 14, 1780.

The committee to whom was referred the memorial and account of Mördecai Sheftall, having reported,

That the charge in the said account against the United States, for a share of the brigantine Hinchinbrook, pressed into the public service, by order of the governor of Georgia, and lost in Savannah river, is in the predicament of a number of other cases, and must therefore depend upon some future general provision.

*Resolved*, That Congress agree to the said report.

FRIDAY, September 15, 1780.

Congress proceeded to the election of a commissary-general of prisoners; and the ballots being taken,

Mr. Abraham Skinner was elected, having been previously nominated by Mr. Fell.

Congress proceeded to the election of a major-general for the Maryland line; and the ballots being taken,

Brigadier-general Smallwood was elected, having been previously nominated by Mr. Henry.

*Ordered*, That the committee appointed to confer with the directors of the bank of Philadelphia, apply to the said directors, and request them to purchase 500 head of cattle, in lieu of part of the flour engaged by them to Congress, or to furnish the commissary-general with sufficient money to purchase the said cattle, for which the commissary-general is to be accountable; a duplicate receipt to be taken, and lodged with the treasury board.

*Resolved*, That, for the supply of the army, the states of New-Hampshire, Massachusetts-Bay and Connecticut, be called upon to furnish, weekly, 1000 head of cattle, in the following proportions, to wit,

New-Hampshire,	76
Massachusetts-Bay,	385
Connecticut,	539

1000

*Ordered*, That copies of the above resolution be forwarded by express to the said states respectively, and that the president, in his letter, urge the necessity of an immediate and full compliance therewith, and the fatal consequences which must fall upon the army, in case of failure in either.

*Resolved*, That the states of New-Jersey, Pennsylvania and Delaware, be requested, with all possible dispatch, to furnish, for an immediate supply to the army, the following number of cattle, to wit,

New-Jersey,	275
Pennsylvania,	1251
Delaware,	539

2056

That for defraying the expenses of forwarding the said cattle to the army, from the states of New-Hampshire, Massachusetts-Bay and

Connecticut (for a weekly supply), warrants be drawn monthly upon the loan-offices of the said states, in favour of the commissary-general, until the further order of Congress, in money of the new emission, viz.

On the loan-office for the state of

New-Hampshire, . . . for 1418 dollars and two-thirds;

Massachusetts-Bay, - - - 7186 dollars and two-thirds;

Connecticut, - - - - 5030 dollars and two-thirds.

And for defraying the expenses of forwarding, for an immediate supply, the cattle from New-Jersey, Pennsylvania and Delaware, that warrants be drawn on the loan-offices of the said states, in favour of the commissary-general, for the following sums, in money of the new emission, viz.

On the loan-officer of the state of

New-Jersey, for . . . . . 550 dollars;

Pennsylvania, - - - - - 2819 dollars;

Delaware, - - - - - 1236 dollars.

And that the commissary-general be authorised, in case any of the said states have not received their money of the new emission, to apply to the executive of the said states, who are requested to advance him, upon the said warrants, an equivalent in other money.

MONDAY, September 18, 1780.

A report from the board of treasury was read; whereupon,

*Resolved*, That the board of treasury be and are hereby authorised and empowered to send to the commissioners of the loan-office in Massachusetts-Bay, or to any other commissioner, in any other state, such of the bills of exchange drawn on the hon. John Jay, minister plenipotentiary of the United States at the court of Madrid, and reserved, in pursuance of the resolution of Congress of the 17th of April last, for the use of prisoners of war, as they shall judge expedient, ordering the said bills to be sold for specie, on terms to be prescribed by the board, the proceeds of which shall be applied in the same manner as is directed by another resolution of Congress passed the 23d day of August last.

TUESDAY, September 19, 1780.

A letter, of the 16th, from the hon. the minister plenipotentiary of France, was read, informing Congress that he is about to leave Philadelphia, and to be absent for some weeks; but that Mr. Marbois will remain here in quality of his majesty's charge des affaires; and hoping that, from his known attention to matters relative to the embassy, Congress will grant him their confidence; whereupon,

*Resolved*, That the president inform the minister of France, that, in his absence, they will readily continue their intercourse with the embassy of his most Christian majesty, through Mr. Marbois, as his majesty's charge des affaires, in whose abilities and attention to the interests of the court of France and those of the United States they have just confidence.

A report from the board of war, to whom was referred the letter of the 10th from gen<sup>r</sup>. Washington, was read; whereupon,

*Resolved*, That it be recommended to the state of Massachusetts-Bay, to take effectual measures for procuring, for the use of the army, a quantity of salted beef and pork, arrived in that state in sundry prizes captured from the enemy; and that the state be informed, that Congress will draw upon the loan-officer in the said state for payment of the same, out of the new bills reserved for the use of the United States.

*Resolved*, That the order of the day, to proceed to hear and examine into and finally determine the disputes and differences relative to jurisdiction between the three states of New-Hampshire, Massachusetts-Bay and New-York, respectively, or such of them as have passed such laws as are mentioned in the resolutions of the 24th of September and 2d of October last, on the one part, and the people of the tract commonly known by the name of the New-Hampshire Grants, who claim to be a separate jurisdiction, on the other, be postponed till six o'clock.

On motion of the delegates of New-York,

*Ordered*, That the secretary notify Messrs. Ira Allen, Stephen R. Bradley, Luke Knoulton, and Colonel Olcott, to attend this afternoon, on the hearing of the question respecting the jurisdiction of the tract of country commonly called the New-Hampshire Grants.

Six o'clock, P. M.

Congress met, according to adjournment, and proceeded to hear, &c. the persons notified attending, when the following papers were read:

The act of the state of New-York, passed October 21st, 1779, and the act of the state of New-Hampshire, of November, 1779, both passed pursuant to the resolutions of Congress of September 24th and October 2d:

A commission to Ira Allen and Stephen R. Bradley, Esq's. dated August 16th, 1780, signed Thomas Chittenden, under a seal in the instrument, called the seal of the state of Vermont:

An appointment of Luke Knoulton, as agent on behalf of the inhabitants of Cumberland county, at a convention of the committees of the said county, Brattleborough, August 30, 1780, and signed John Sergeant, chairman *pro tempore*.

An appointment of Peter Olcott and Bezaleel Woodward, Esq's. agents from the towns in the northern parts of the New-Hampshire Grants, on both sides of Connecticut river, being part of a district known by the name of the state of Vermont, pursuant to a vote of a convention of members from the said towns, November 17, 1779, signed Joseph Marsh, chairman of the said convention, and dated New-Hampshire Grants, January 1, 1789.

The delegates of New-York, as agents for the state, delivered in sundry papers, which were read, with an intent to prove that the land known by the name of the New-Hampshire Grants, on the west side of Connecticut river, is within the limits of the state of New-York; that the state of New-Hampshire have acknowledged this, and that the people on the said tract have been represented in the legislature of New-York, since the year 1764.

*WEDNESDAY, September 20, 1780.*

*Resolved,* That it be recommended to the governor and supreme executive council of the state of Virginia, to be prepared to march the convention troops from Albemarle barracks, by the way of Winchester, to fort Frederick, in the state of Maryland, upon an invasion of the state of Virginia, in case the conjuncture of affairs should render the measure necessary.

That the board of war be directed to take measures for the march of the new-raised regiment of Maryland, by such route as they may judge most expedient for the public service; and if from circumstances it shall become necessary, that they be empowered to halt the said regiment at such places as will best serve to cover the march of the convention troops.

That the states of Maryland and Virginia be requested to take eventual measures for providing magazines of provisions, at or in the neighbourhood of fort Frederick, for the supply of the convention troops.

That the states of Maryland and Virginia be informed, that Congress will use every exertion to supply them with tents and a number of arms, for the use of their respective militia; and that at the same time it be recommended, in the strongest manner, to the said states, to leave no steps untried which may have a tendency to furnish these important and necessary articles.

Congress proceeded to the order of the day, the parties being present as yesterday, except the delegate for the state of New-Hampshire, who was absent through sickness; when the state of New-York, by its delegates, proceeded in stating evidence to prove that the inhabitants of the tract of country known by the name of the New-Hampshire Grants, west of Connecticut river, as part of the state or colony of New-York, were duly represented in and submitted to the authority, jurisdiction and government of the Congress and convention of the said state, till late in the year 1777; and that, therefore, the people inhabiting the said tract of country have no right to a separate and independent jurisdiction.

*THURSDAY, September 21, 1780.*

The committee on the letters from gen. Washington brought in a farther report; whereupon,

*Resolved,* That it be recommended to the state of Maryland to send immediately to the main army, 500 head of neat cattle, over and above the quantity of meat required by the resolution of the 25th February last; and that the state be informed, that Congress will draw upon the loan-officer in the said state for the payment of the same, out of the new bills reserved for the use of the United States:

And in case the full quota of each state, respectively, shall not be enlisted and brought into the field by the first day of December next, that, until recruits for the war shall be obtained, the deficiencies be supplied by the states respectively, by men to serve for not less than one year, after they join the army, unless sooner relieved by the recruits enlisted for the war.

*FRIDAY, September 22, 1780.*

Mr. Piater, a delegate from Maryland, attended and took his seat in Congress.

*SATURDAY, September 23, 1780.*

The delegates from South-Carolina having informed Congress that there were good grounds to believe that a number of respectable citizens of South-Carolina, prisoners of war by the capitulation of Charles-Town, were seized and confined on board a ship of war:

*Ordered,* That the commander in chief send a flag to gen. sir Henry Clinton, and enquire whether such arrests and confinements have been made, and for what reasons.

A memorial of Robert Morris, merchant, in behalf of himself and others, owners of, and of the officers and seamen belonging to, the schooner Livingston, was read; whereupon,

*Resolved,* That the said Robert Morris be and hereby is empowered to prosecute, in the name of the United States, but for the benefit of himself and all others interested in the said schooner, and at their expense, the right which the United States may have acquired to the share of a prize made by the said schooner, in consort with two or three other vessels.

*MONDAY, September 25, 1780.*

*Resolved,* That each commissioner of the respective navy-boards be allowed the sum of 1500 dollars per annum.

The clerks of the several boards and offices each according to his merit and services, to be determined by the commissioners of the respective boards, not exceeding 500 dollars; and the salary of the clerks of the office of the secretary of Congress, to be fixed by the secretary, not exceeding 500 dollars; the salaries so fixed to be reported to Congress, and transmitten to the board of treasury; the above salaries to be paid in the same manner as those agreed to the 13th instant.

#### PLAN of the INSPECTING and MUSTERING DEPARTMENT.

WHEREAS the institution of this department hath been found of great utility to the armies of these United States; and experience hath shewn that it may be rendered still more useful by an extension of its powers and objects: therefore,

*Resolved,* That the former establishment, by a resolution of the 18th of February, 1779, and all subsequent resolutions relative thereto, be repealed; and the department hereafter have the following form, powers and privileges:

There shall be an inspector-general with the main army of the United States, to be appointed by Congress, who shall be allowed two secretaries, in addition to the aids he is allowed in the line of the army, to be taken from the line of captains and subalterns, who shall receive, in addition to their pay, 6 dollars per month.

There shall be one assistant-inspector-general with the main army, who shall be adjutant-general for the time being, and shall receive, in addition to his pay, 10 dollars per month; and one to every separate army, when consisting of two or more divisions, who shall be the de-

puty-adjutant-general, and shall receive, in addition to his pay, 8 dollars per month.

There shall be one inspector to each division of the army of the United States; one to the corps of cavalry, and one to the corps of artillery; to be taken, when the service will admit, from the line of colonels and lieutenant-colonels, who shall be allowed, in addition to their pay,  $7\frac{1}{2}$  dollars per month, and forage for three horses, including what they are entitled to in the line of the army, and one extra ration of provision, when the state of the magazines will admit.

There shall be one sub-inspector to every brigade in the army of the United States; one to the corps of cavalry, and one to the corps of artillery, if thought necessary by the commander in chief, or commanding officer of a separate army; to be taken from the line of majors in the brigade, when the service will admit, who shall be allowed, in addition to their pay, 5 dollars per month, and one extra ration, when the state of the magazines will admit.

The commander in chief, and commanding officer of a separate army, are hereby empowered to appoint inspectors and sub-inspectors to the militia, while in actual service, agreeable to the foregoing plan, who shall have the same powers, privileges and emoluments, as those serving with the continental army.

It shall be the duty of the inspector-general to frame a system of regulations for the exercise and discipline of the troops, in the manual, evolutions and manœuvres, for the service of guards and detachments, and for all camp and garrison duty, and if approved of by the commander in chief, and ratified by Congress, such regulations shall be inforced, by the orders of the commander-in-chief, throughout the army.

The assistant-inspectors-general shall assist in the general duties of the department, agreeable to the directions they shall receive from the inspector-general (through the order of the commander in chief) and when the inspector is not present, shall have the chief direction of the same, agreeable to the orders they may receive as aforesaid; they shall nevertheless continue to perform their duties of adjutant and deputy-adjutant-general.

The inspectors shall attend to the execution of the regulations established for the army in their respective divisions, and in such garrisons as they may be ordered by the inspector-general or assistant-inspectors-general; at all times performing the duty of adjutant-general to the same; and when a detachment of more than one division is sent from the army, the eldest inspector of the marching troops shall act as adjutant-general to the detachment.

The sub-inspectors shall do the duty of majors of brigade to the brigades to which they belong, and attend to the execution of the regulations established for the army, in their respective brigades, and such garrisons, detachments and independent corps, as they shall be ordered by the inspector-general, or assistant-inspector-general with a separate army.

The inspector-general and the assistant-inspector-general shall review and muster the troops in service once every month, at which re-

view he or they shall inspect the number and condition of the men, their discipline, the state of their clothes, arms, accoutrements, and camp equipage; the number of rations they have drawn since the last review; reporting such soldiers and recruits as are unfit for service, to the major-general or commander of the division, the brigadier or commander of a regiment detached from the division or brigade to which such disabled soldier may belong; to be by them, or either of them, discharged or transferred to the corps of invalids, if, on examination of the surgeon of the regiment, they shall be found unfit for further service in the field. But no such soldier shall be deemed legally discharged or transferred, except his discharge or transference is signed by the major-general, brigadier or commandant as aforesaid, and a certificate of his inability, specifying the nature of it, signed by the surgeon, is annexed thereto; noting at the same time all alterations that have happened since the last review or muster, and, as far as possible, in what manner, reporting them with the deficiencies, neglects and abuses, to the commander in chief, or commanding officer present, and the board of war.

At every muster, three rolls shall be made out by the commanding officer of each troop or company, signed and sworn to by him, one of which rolls shall be returned to him, certified by the mustering officer; one shall be retained by the mustering officer; the other shall be certified and delivered to the regimental paymaster, to be affixed to the pay-rolls.

Each brigade shall be mustered by its sub-inspector, under the superintendence of the inspector of the division, who shall be responsible, with the sub-inspector, for the exactness and fidelity of the musters; and, in like manner, all garrisons, independent corps and detachments, shall be mustered by such inspector or sub-inspectors, as the inspector-general, or assistant-inspector-general with a separate army, shall order.

The sub-inspectors shall deliver an abstract of all such musters, regimentally digested, to the inspector of the division, who shall digest them into division abstracts, in the same form, and transmit them to the assistant-inspectors-general, to be by them transmitted to the inspector-general, and in a separate army to the commanding officer.

The inspector-general shall transmit, once every month, a copy of the abstract of the musters of the whole army, to the commander in chief, and another to the board of war.

No commanding officer of a regiment shall muster the regiment he commands, but another inspector shall be ordered to do that duty, by the inspector-general.

The assistant-inspector in a separate army, shall do the same duties in that army, as the inspector-general doth in the main army, respecting the musters, according to the directions he shall receive, and orders of the commanding officer.

The commissary of issues shall be obliged to deliver to the inspector-general, and assistant-inspector with a separate army, an abstract, by brigades, of the rations actually issued, and of all issues to all separate corps, garrisons and detachments.

All muster-rolls shall be sworn to before a general officer, or com-

mandant of a separate post or detachment, who are hereby empowered to administer the oath, and certify it on each muster-roll, in the words following, (to wit,) " I, A. B. do swear that this muster-roll is a true state of the company under my command, without fraud to the United States, or to any individual, according to the best of my knowledge.

" Sworn before me, this      " A. B. captain, lieutenant,  
" day of      17 ."  
" ensign or cornet, commandant.

"Sworn before me, this

"A. B. captain, lieutenant,  
ensign or cornet, commandant  
day of 17."

day of 17 .

The mustering officers are empowered and directed to require from all the officers whose troops are mustered, all papers and vouchers relative to their enlistments and musters.

The inspector shall keep accounts with the officers commanding regiments, of all arms and accoutrements delivered their regiments, and returned in by them: No arms or accoutrements shall be delivered without an order from the inspector of the division, to whom returns for arms and accoutrements wanted shall be made, in the form directed in the resolution for the order and discipline of the troops of these United States.

All officers of the inspectorship shall retain their rights of command and promotion, in the same manner as if they had not assumed the office. They are to suspend the exercise of their respective commands, except when they happen to be the superior in the division, brigade, or regiment, to which they belong, or when they are appointed to execute any particular service by the commander in chief, or commanding officer of a separate army; and are exempt from all common camp and garrison duty, that they may attend to that of the inspecting, as well in time of action as at other times.

The inspector-general, as often as the commander in chief shall think fit to order, shall visit every part of the army, and review the same, to see that uniformity prevails throughout the armies of these United States.

The inspector-general shall keep books, in which the returns, &c. passing through his office shall be registered. He shall be charged with collecting in one or more volumes all the resolves of Congress, and regulations of the board of-war, relative to the army.

The travelling and other incidental expenses for the execution of the business of the office, shall be settled by the auditors with the army, upon such principles as shall be established by the commander in chief, and paid out of the military chest.

The quartermaster-general shall furnish all necessary books, paper, &c. for the department.

Each inspector shall be allowed, when the circumstances of the army will permit, a marquee and common tent : each sub-inspector a horseman's and common tent ; if not provided for as officers in the line.

All the regulations respecting the objects of this department shall be finally approved and established by Congress: But, the exigency of the service requiring it, temporary ones may, from time to time, be introduced, by the inspector-general, with the approbation of the commander in chief, and transmitted to the board of war within one

month after their introduction; that being examined and reported to Congress by them, they may be rejected, altered, amended or confirmed, as Congress shall deem proper.

*Resolved*, That baron Steuben be, and hereby is continued inspector-general of the armies of these United States, and vested with power to appoint all officers necessary to carry the aforesaid plan into execution, they being first approved of by the commander in chief.

*Resolved*, That the assistant-inspector be allowed 400 dollars per month, of the old emission, in addition to his pay as adjutant-general, from the 1st day of February last, to the 1st day of October next: The inspectors shall be allowed, from the 1st day of February last to the 1st day of October, 300 dollars per month of the old emission, and the sub-inspectors shall be allowed, 200 dollars per month, of the old emission, from the 1st day of February aforesaid, to the 1st day of October next, in addition to the pay and subsistence to which they are entitled by their respective ranks.

The committee to whom was referred a letter of May 12th, from Mr. W. Glascock, and the memorial of Mr. G. Walton; report:

That, in the course of their enquiry respecting the business committed to them, they have conferred with his excellency Richard Howley, the present governor of Georgia, and been attended by Mr. George Seegar, clerk of the general assembly of the said state, and have obtained from each of them a state of facts, to which they beg leave to refer; that it appears, that the paper containing the paragraph respecting brig. gen. M'Intosh, and dated at Augusta, in the state of Georgia, the 30th day of November 1779, and purporting in general to be a letter or address from the assembly of that state to Congress, did originate in, and ought to be considered as an act declarative of the sense of the said assembly; and that the same was officially transmitted with other public papers, by col. Walton, then governor of that state, to the president of Congress, and, together with the proceedings of the said governor and council, contained a sufficient ground for the act of Congress of the 15th day of February last, for dispensing with the services of the said brig. gen. M'Intosh, until the farther order of Congress.

*Resolved*, That Congress agree to the said report.

*Ordered*, That a copy of the above report, and of the papers referred to, be transmitted to the governor of Georgia.

On motion of Mr. Bee, seconded by Mr. Matthews,

*Resolved*, That two-thirds of the bills, ordered by the resolution of the 23d of August last to be sold for specie, for the relief of prisoners of war, be now disposed of under the directions of the board of war, for such necessary articles of clothing or provisions as may, in their opinion, best conduce to supply in some measure their present wants.

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TUESDAY, September 26, 1780.

*Resolved*, That the resignation of lieut. George Sexton and Benjamin Butterfield, and ensign Reuben Church, of col. Warner's regiment, be accepted.

The board of war, to whom was referred the petition of capt. Rice,

for leave of absence to go to sea, in order to enable him to continue in the service, or, if that cannot be obtained, to have leave to resign; report,

That they are fully sensible of the merit and services of capt. Rice, and are well assured he has injured his circumstances considerably in the service; yet the granting his request for leave of absence to go to sea, would introduce such a number of similar applications, and would also create such embarrassments about the exchange, in case of a capture, that the board think it would be best to reject the practice in the first instance:

*Resolved*, That Congress agree to the said report:

*Resolved*, That the resignation of capt. Joseph Rice, of the 4th regiment of artillery, be accepted.

WEDNESDAY, September 27, 1780.

Congress proceeded in the order of the day respecting the jurisdiction of the tract of country commonly called the New-Hampshire Grants, all the parties being present except Ira Allen and Stephen R. Bradley, who being duly notified, declined to attend, when the agent for the state of New-Hampshire proceeded to state evidence tending to prove, that the tract of country known by the name of the New-Hampshire Grants, was within the state of New-Hampshire, and that therefore the people inhabiting the said tract of country, have no right to a separate and independent jurisdiction. The gentlemen appearing in behalf of sundry inhabitants of the said Grants having nothing to add, and pressing Congress to come to a determination, withdrew.

*Resolved*, That the farther consideration of the subject be postponed.

The committee to whom were referred the letters from John Mag-nall, delivered in a report which was read; whereupon,

*Resolved*, That copies of the said letters attested by the secretary of Congress, be sent to the honourable John Jay, minister plenipotentiary of these United States at the court of Madrid; and that he be instructed to endeavour to obtain, for the captors of the Dover cutter, the benefit intended by the resolve, passed in Congress on the 14th day of October, 1777, respecting vessels belonging to British subjects, seized and brought into any of the ports or harbours of these United States, by the master or mariners, and that he be informed it is the wish of Congress that the whole profit of the capture be divided among the captors.

FRIDAY, September 29, 1780.

*Resolved*, That until a permanent arrangement of the army can be accomplished, the commanding officer of the southern army be authorised to form into proper corps, under the command of the officers of the states of South-Carolina and Georgia, who are now at liberty to act, such of the non-commissioned officers and soldiers of those states as are or can be collected; the said non-commissioned officers and soldiers to share the benefit of all supplies of pay and clothing and necessaries, equally with the troops of other states.

*SATURDAY, September 30, 1780.*

A letter, of the 26th, from gen. Washington, was read, confirming the account given in the letter of the 25th, from major gen. Greene, of the treasonable practices of major gen. Benedict Arnold, and his desertion to the enemy.

WHEREAS the late regulations for conducting the affairs of the general hospital are in many respects defective; and it is necessary that the same be revised and amended; in order that the sick and wounded may be properly provided for and attended, and the business of the hospitals conducted with regularity and economy; therefore,

*Resolved*, That there be one director of the military hospitals, who shall have the general direction and superintendance of all the hospitals to the northward of North-Carolina; that, within the aforesaid limits, there be three chief hospital physicians, who shall also be surgeons; one chief physician, who shall also be a surgeon, to each separate army; fifteen hospital physicians, who shall also be surgeons; twenty surgeons mates for the hospitals: one purveyor, with one assistant; one apothecary; one assistant apothecary; and to each hospital, a steward, matron, orderly men and nurses, as heretofore:

That the director, or, in his absence, one of the chief hospital physicians, be empowered and required, with the advice and consent of the commander in chief, or commander of a separate army, to establish and regulate such a number of hospitals, at proper places, for the reception of the sick and wounded of the army, as may be found necessary:

That the director be authorised and instructed to enjoin the several chief hospital physicians, and other officers of the hospitals under his superintendance, to attend at such posts or stations as he may judge proper, and also to attend and perform such duties, at any post or place, as a change of the position of the army, or other circumstances, may from time to time make necessary, and shall be required by the commander in chief; and that, in case of any dispute concerning their seniority or precedence, the director shall determine the same in the first instance, the party supposing himself aggrieved being at liberty to appeal for redress to the medical committee:

That in time of action, and on any other emergency, when the regimental surgeons are not sufficient in number to attend properly to the sick and wounded that cannot be removed to the hospitals, the director, or, in his absence, the nearest chief hospital physician, be empowered and required, upon request of the chief physician and surgeon of the army, to send from the hospitals under his care, to the assistance of such sick and wounded, as many surgeons as can possibly be spared from the necessary business of the hospitals:

That the director, or, in his absence, two of the chief hospital physicians, shall make out and deliver, from time to time, to the purveyor, proper estimates of hospital stores, medicines, instruments, dressings, and such other articles as may be judged necessary for the use of the hospitals; also direct the apothecary or his assistant, to prepare and deliver medicines, instruments, dressings, and other articles in his possession, to the hospitals and surgeons of the army and navy, as he or they may judge necessary:

That the director authorise and instruct the purveyor and apothecary to supply, for the use of the regimental surgeons, such medicines and refreshments as may be proper for the relief of the sick and wounded, before their removal to a general hospital, and to be dispensed under the care, and at the direction of the chief physician of the army:

That the director, or, in his absence, the chief hospital physicians, respectively, be empowered occasionally to employ second mates, when the numbers of the sick shall increase so as to make it necessary, and to discharge them as soon as the circumstances of the sick will admit:

That the director, or, in his absence, the chief hospital physicians, respectively, shall appoint a ward-master for each hospital, to receive the spare regimental arms, accoutrements and clothing of each soldier admitted therein, keeping entries of and giving receipts for every article received, which, when the soldier shall be discharged, shall be accounted for by the said ward-master with the commanding officer of the regiment to which such soldier belonged, or the officer directed to take charge of the convalescents from the said hospital; or, in case of the death of the soldier, shall be accounted for with, and delivered to the quartermaster of the regiment to which the said soldier belonged; and the ward-master shall receive and be accountable for the hospital clothing, and perform such other services as the chief hospital physician shall direct.

That the director shall make returns of all the sick and wounded in the hospitals, once every month, to the medical committee, together with the names and ranks of all the officers and others employed in the several hospitals:

That the director be required to employ such part of his time, as may be spared from the duties before pointed out to him, in visiting and prescribing for the sick and wounded of the hospitals; and that he pay particular attention to the conduct of the several officers in the hospital department, and arrest, suspend and bring to trial, all delinquents within the same:

That the duty of the chief hospital physicians shall be, to do and perform all the duties herein before enjoined them to do in the absence of the director; to receive and obey the orders of the director, made and delivered to them in writing, to superintend the practice of physic and surgery in the hospitals put under their particular care by the director, or which, by the order of the commander in chief, or the commander of a separate army, may be by them established; to see that the hospital physicians and other officers attending the same, do their duty; and make monthly returns to the director, of the state and number of the sick and wounded in the hospitals under their care; and also make returns to the director, and to the medical committee, of all delinquent officers, in order that they may be speedily removed or punished; and to take measures that all such sick and wounded as are recovered and fit for duty be delivered weekly to the officer of the guard, to be conducted to the army: when present at any hospital, to issue orders to the proper officers for supplying them with necessaries; and generally, in the absence of the director, to superintend and control the business of such hospitals, suspend delinquent and remove unnecessary non-commissioned officers, making re-

port to the director; and, when in their power, to attend and perform or direct all capital operations:

That the hospital physicians shall take charge of such particular hospitals as may be assigned them by the director: They shall obey the orders of the director, or, in his absence, of the chief hospital physician: They shall have power to suspend officers under them, and to confine other persons in the hospitals serving under their charge, for negligence or ill-behaviour, until the matter be regularly enquired into: They shall diligently attend to the cases of the sick and wounded of the hospitals under their care, administering at all times proper relief, as far as may be in their power: They shall respectively give orders, under their hands, to the assistant purveyor or steward at the hospital, for the issuing provisions and stores, as well as for the procuring any other small articles that the exigencies of the hospital may require, and which the store is not provided with, having always a strict regard to economy, as well as the welfare of the sick then to be provided for: They shall make weekly returns to the nearest chief hospital physician, of the state of the hospitals under their respective care.

The mates shall each take charge of and attend the patients assigned them, and perform such other duties as shall be directed by the director, chief or other physicians and surgeons.

The chief physician and surgeon of the army shall be subject to the orders and control of the director: His duty shall be to superintend the regimental surgeons and their mates, to see that they do their duty: To hear all complaints against the said regimental surgeons and mates, and make report of them to the director, or, in his absence, to the commander in chief or commanding officer of a separate army, that they may be brought to trial by court-martial for misbehaviour: To draw for and receive from the purveyor a suitable number of large strong tents, beds, bedding and hospital stores, and from the apothecary, or his assistant, proper medicines, for such sick and wounded persons as cannot be removed to the general hospital with safety, or may be rendered fit for duty in a short time. He shall also see that the sick and wounded, while under his care, are properly attended and provided for, and conveyed, when fit to be removed, to the general hospital; for which last purpose, he shall be supplied by the quartermaster-general, with a proper number of convenient waggons and drivers; he shall have a steward, whom he is to appoint, to receive and properly dispense such articles of diet and refreshments as shall be procured for the sick; and also shall appoint such a number of nurses and orderly men as may be necessary for the attendance of the sick and wounded under his care. He shall cause daily returns to be made to him of all the sick and wounded which have been removed to the hospitals, all that remain in the hospital tents, all that are become fit for duty, all that are convalescent, and all who may have died, specifying the particular maladies under which the sick and wounded labour, and shall make a monthly return thereof to the director, who shall add it to his general hospital returns, to be transmitted monthly to the medical committee.

That whenever any regimental surgeon or mate shall be absent

from his regiment, without leave from the chief physician and surgeon, or commander of the army where his duty lies, the said chief physician and surgeon shall have power to remove such surgeon or mate, and forthwith appoint another in his stead :

That the purveyor provide, or cause to be provided, all hospital stores, medicines, instruments, dressings, utensils, and such other articles as shall be prescribed by the written order of the director, or two of the chief hospital physicians, and deliver, or cause the same to be delivered, upon written orders, under the hand of the director, chief hospital physician, or one of the hospital physicians, having the charge of a particular hospital, or of the chief physician and surgeon of the army, which, with receipts thereon for delivery of the same, shall be his sufficient vouchers. He shall be allowed a clerk, and as many storekeepers as occasion may require and the director shall approve of. He shall also pay the salaries of the officers, and all other expenses of the hospitals. He shall render his accounts every three months to the board of treasury, for settlement, and make application for money to the medical committee, before whom he shall lay estimates of articles necessary, which shall previously have been approved and signed by the director or two of the chief hospital physicians; at the same time he shall render to them an account of the expenditure of the last sum of money advanced to him: and the said medical committee shall lay such estimates before Congress, with their opinion thereon :

That the assistant-purveyor shall procure such supplies, and do and perform such parts of the purveyor's duty, as by him shall be particularly assigned to him.

That the apothecary and his assistants receive, prepare and deliver medicines, instruments and dressings, and such other articles of his department, to the hospitals and army, on orders in writing from the director or either of the chief hospital physicians, or chief physician and surgeon, of the army; and that he be allowed as many mates as occasion may require, and the director shall approve of :

That the director, or, in his absence, the chief hospital physician, shall appoint a steward for each hospital, whose duty it shall be to purchase vegetables and other small articles, under the direction of the purveyor, and to receive hospital stores from the purveyor, and provisions from the commissary-general, and issue the same for the use of the sick and wounded, agreeably to the order of the physician and surgeon attending such hospital; the steward to account with the purveyor for all such issues :

That the director, or, in his absence, the chief hospital physician, appoint a proper number of matrons, nurses, and others necessary for the regular management of the hospitals, and fix and ascertain their pay, not exceeding the sums heretofore allowed; and point out and prescribe their particular duties and employments, in writing, which they are enjoined to observe and obey :

That the director, with two chief hospital physicians, be empowered to fix the pay of second mates, and of such clerks, store-keepers, and other persons as may occasionally be employed; and also make such regu-

lations, and point out and enjoin, in writing, such further particular duties for the several officers in the hospital department, as they may judge necessary for the regular management of the same; which duties shall always be consistent with, and in no wise contradictory to any of the duties herein before particularly enumerated, and which being reported to, and approved of by the medical committee, shall thereupon become obligatory to all those concerned:

That the quartermaster-general furnish the hospital department, from time to time, as occasion may require, with such a number of horses and waggons as may be necessary for removing the sick and wounded, and for transporting the hospital stores; but that no other horses than those belonging to the officers of the department, for which forage may be herein allowed, be kept separately and at the expense of the department:

That no person concerned in trade, on his own account, shall be suffered to act as an officer in the hospital or medical department of the army:

That no officer or other person in the hospital department, except the sick or wounded, be permitted to use any of the stores provided for the sick.

That the director, chief hospital physicians, and the chief physicians and surgeons of the army, physicians and surgeons, purveyor, apothecary, assistant purveyor and assistant apothecary, be appointed and commissioned by Congress: the regimental surgeons and mates to be appointed as heretofore.

That the director, with the advice and concurrence of two of the chief hospital physicians, appoint all hospital mates, which appointments shall be certified by warrants under the hand of the director; in which appointments no person shall be admitted under the age of twenty-one years.

That all the officers in the hospital or medical department, shall be subjected to trial by courts-martial for all offences, in the same manner as officers in the line of the army.

*Resolved*, That the pay and establishment of the officers of the hospital department, and medical staff, be as follows:

Director, 150 dollars per month, 2 rations for himself, and 1 for his servant per day, and forage for 2 horses;

Chief physicians and surgeons of the army and hospitals, each,  $\{$  140 dollars per month, 2 rations per day and forage for 2 horses.

Purveyor and apothecary, each, 130 dollars per month;

Physicians and surgeons of the hospitals, each, 120 dollars per month, 1 ration per day, and forage for one horse;

Assistant purveyors and apothecaries, each, 75 dollars per month;

Regimental surgeons, each, 65 dollars per month, 1 ration per day, and forage for one horse;

Surgeons mates in the hospitals, 50 dollars per month, 1 ration per day.

Surgeons mates in the army, 45 dollars per month, 1 ration per day.

Steward for each hospital, 35 dollars per month, 1 ration per day.

Ward-master for each hospital, 25 dollars per month, 1 ration per day.

*Resolved*, That none of the aforesaid officers, or other persons employed in any of the hospitals, be entitled to rations of provision or forage when on furlough.

*Resolved*, That the chief physician of the army be allowed a two horse covered waggon for transporting his baggage:

That the several officers abovementioned shall receive their pay in the new currency, emitted pursuant to a resolution of Congress of the 18th day of March last; and that they be allowed and paid at the rate of five dollars of said currency per month for every retained ration; and shall each be entitled annually to draw clothing from the stores of the clothier general, in the same manner and under the same regulations as are established for officers in the line, by a resolution of Congress of the 25th of November, 1779:

That the returns for clothing for officers in the medical staff (regimental surgeons and their mates, who are to draw with the regimental staff, excepted) be signed by the director, or one of the chief hospital physicians; and such clothing shall be delivered either by the clothier general or any sub-clothier in the state in which the officer to receive clothing shall reside, in the same manner as is provided in the cases of other staff officers not taken from the line:

That the several officers whose pay is established as above (except the stewards and ward-masters) shall at the end of the war be entitled to a certain provision of land, in the proportion following, viz.

The director to have the same quantity as a brigadier-general;

Chief physician and purveyor, the same as a colonel;

Physicians and surgeons and apothecary, the same as a lieutenant-colonel;

Regimental surgeons and assistants to the purveyor and apothecary, the same as a major;

Hospital and regimental surgeons mates, the same as a captain;

That the former arrangements of the hospital department, and all resolutions heretofore passed touching the same, so far as they are inconsistent with the foregoing, be repealed, excepting that the hospitals in the southern department, from North-Carolina to Georgia, inclusive, be continued under the same regulations as heretofore, until the farther order of Congress.

MONDAY, October 2, 1780.

The committee to whom was referred the report of the board of treasury, of the 3d of August last, respecting the settlement of the public accounts, report,

That it appears to them that the board of treasury have been attentive to their duty, in taking such measures as seemed adviseable for procuring a settlement of the public accounts; that several of the accountants have alleged difficulties and impediments, arising from the former mode of producing their vouchers, which are removed by the resolutions of Congress of the 12th of June last; and that sufficient time has been allowed for every necessary preparation; whereupon,

*Resolved*, That the board of treasury immediately proceed to put in execution the resolutions of the 12th of June last, in order that all outstanding accounts may be settled and adjusted without delay.

*Resolved*, That Congress approve the measures taken by governor Jefferson, for remounting the cavalry with the southern army, and request a continuance of his exertions for that purpose, on the same principles he has heretofore adopted.

On motion of Mr. Henry, seconded by Mr. Adams :

*Resolved*, That bills of exchange be drawn on the honourable Henry Laurens, to the amount of £.10,000 sterling ; and on the honourable John Jay, minister plenipotentiary of the United States, at Madrid, to the amount of £.10,000 sterling, payable at 90 days sight ; and that out of said bills the debt due to Messrs. Freney and co. be discharged ; and the amount of £.7000 sterling advanced by Mr. W. Bingham, in part payment of his account as agent of the United States.

*Ordered*, That Mr. Sherman have leave of absence.

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TUESDAY, October 3, 1780.

The delegates for the state of New-York laid before Congress the credentials of their appointment ; which were read,

*Resolved*, That such of the fifteen additional regiments as have not been annexed to the line of some particular state, and all the separate light corps of the army, both of horse and foot, and also the German battalion, be reduced on the 1st day of January next : that the non-commissioned officers and privates in those several corps, be incorporated with the troops of their respective states, and that such of them as do not belong to any particular state, be annexed to such corps as the commander in chief shall direct.

That the regular army of the United States, from and after the 1st day of January next, consist of

4 regiments of cavalry, or light dragoons,

4 regiments of artillery,

49 regiments of infantry, exclusive of col. Hazen's regiment, hereafter mentioned,

1 regiment of artificers :

That each regiment of cavalry, or light dragoons, consist of 6 troops ; and that each troop consist of 64 non-commissioned officers and privates, with the same number of commissioned officers as at present :

That each regiment of artillery consist of 9 companies, and that each company consist of 65 non-commissioned officers and matrofes, with the same number of commissioned officers as at present.

That each regiment of infantry consist of 9 companies, and each company consist of 64 non-commissioned officers and privates ; and

That the regiment of artificers consist of 8 companies, and each company of 60 non-commissioned officers and privates :

That the several states furnish the following quotas, viz.

New-Hampshire, 2 regiments of infantry ;

Massachusetts-Bay, 10 regiments of infantry and 1 of artillery ;

Rhode-Island, &c. 1 regiment of infantry ;

Connecticut, 5 regiments of infantry and 1 of cavalry ;

New-York, 2 regiments of infantry and 1 of artillery ;  
New-Jersey, 2 regiments of infantry ;  
Pennsylvania, 6 regiments of infantry, 1 of artillery, 1 of cavalry,  
and one of artificers ;

Delaware, 1 regiment of infantry ;

Maryland, 5 regiments of infantry ;

Virginia, 8 regiments of infantry, 1 of artillery, and 2 of cavalry ;

North-Carolina, 4 regiments of infantry ;

South-Carolina, 2 regiments of infantry ;

Georgia, one regiment of infantry :

That the states shall select from the line of the army a proper number of officers to command the several regiments, to them respectively assigned, taking notice that no new appointment is to be made of a higher rank than that of a lieut. col. commandant :

That the states be and they are hereby called upon, in the most pressing manner, to have their regiments completed and in the field by the 1st day of January next at farthest :

That it be recommended to the states to fill up their respective regiments, by enlistments for and during the war ; but in case the full quota of any of the states cannot be completed with such recruits by the 1st day of December next, that it be recommended to such state or states, to supply the deficiency with men engaged to serve for not less than one year, unless sooner relieved by recruits enlisted for the war, which they are requested to exert their utmost endeavours to obtain as speedily as possible : And, in order thereto, it is further recommended, that the officers at camp be empowered, and directed to use every prudent measure and improve every favourable opportunity to enlist, for the continuance of the war, such of the men belonging to their respective states, as are not engaged for that period, whether now in the field or hereafter, from time to time, joining the army ; and that a recruiting officer from each corps be kept in the state to which the regiments respectively belong, to enlist recruits for the war, as well to relieve those who are engaged for a shorter or limited term, as to supply casual deficiencies :

That 2 dollars be granted to the recruiting officer for every able bodied soldier he shall enlist for the war, who shall join the army ; and that a sum not exceeding 50 dollars, be allowed as a bounty to every such recruit :

That the commander in chief be, and hereby is directed to cause returns to be made as speedily as possible to the several states, of the number of men they will probably have in the field on the 1st day of January next, that the states may take immediate measures for completing their respective quotas as above recommended, by that time :

That the commander in chief be and he is hereby directed to make a return annually to Congress, on or before the 1st day of September, of the number of troops from each state, in order that Congress may be enabled to make their requisitions from the several states with certainty and in season :

That the clothing be furnished, and regularly served out to the troops, as it becomes due, and that a full compensation be made for any arrearages of clothing.

That the regiments of cavalry, artillery and of artificers, as they now stand, be considered as belonging to the states respectively to which they are or may be assigned, which states shall complete them to the full complement, supply them with necessaries, and in every respect treat them as if originally raised therein, and that such other states as now have non-commissioned officers or privates in any of the regiments aforesaid, be credited in their quotas for such men according to their numbers, from time to time; for which purpose the commander in chief is hereby directed to specify such non-commissioned officers and privates, and the states to which they formerly belonged, in the returns which he shall make to the states, and in his annual returns to Congress.

That the regiment commanded by col. Moses Hazen be continued on its present establishment, and that all non-commissioned officers and privates, being foreigners belonging to any of the reduced regiments and corps, be incorporated therewith and all volunteers from foreign states, who are now in the service, or may hereafter join the American army, be annexed to the said regiment:

And whereas, by the foregoing arrangement, many deserving officers must become supernumerary, and it is proper that regard be had to them:

*Resolved*, That from the time the reform of the army takes place, they be entitled to half-pay for seven years, in specie or other current money equivalent, and also grants of land at the close of the war, agreeably to the resolution of the 16th of September, 1776.

*Ordered*, That a copy of the foregoing arrangement of the army be sent to the commander in chief, for his opinion thereon, and that if there shall appear no material objection, the same be carried into immediate effect.

—  
WEDNESDAY, October 4, 1780.

Mr. Sharpe, a delegate for North-Carolina, attended and took his seat in Congress.

*Resolved*, That the board of war be and hereby are directed to eraze from the register of the names of the officers of the army of the United States, the name of Benedict Arnold.

—  
THURSDAY, October 5, 1780.

The board of treasury having reported, on the petition of J. Hamilton, which was referred to them; thereupon,

*Resolved*, That the board of treasury be and hereby are authorised to direct Thomas Smith, commissioner of the continental loan-office for the state of Pennsylvania, to deliver to John Hamilton, loan-office certificates to the amount of 48,258 dollars, in full compensation for the difference occasioned by the delay in granting him certificates on the periods when he actually loaned his money.

Her imperial majesty of all the Russias, attentive to the freedom of commerce, and the rights of nations, in her declaration to the belligerent and neutral powers, having proposed regulations, founded upon principles of justice, equity and moderation, of which their most Chris-

tian and Catholic majesties, and most of the neutral maritime powers of Europe, have declared their approbation.

Congress, willing to testify their regard to the rights of commerce, and their respect for the sovereign, who hath proposed and the powers who have approved the said regulation: *Resolve*,

That the board of admiralty prepare and report instructions for the commanders of armed vessels commissioned by the United States, conformable to the principles contained in the declaration of the emprefs of all the Russias, on the rights of neutral vessels:

That the ministers plenipotentiary from the United States, if invited thereto, be and hereby are respectively empowered to accede to such regulations, conformable to the spirit of the said declaration, as may be agreed upon by the Congress expected to assemble in pursuance of the invitation of her imperial majesty.

*Ordered*, That copies of the above resolution be transmitted to the respective ministers of the United States, at foreign courts, and to the honourable the minister plenipotentiary of France.

*Resolved*, That the commander in chief be and hereby is directed to order a court of enquiry to be held on the conduct of major gen. Gates, as commander of the southern army.

*Resolved*, That the commander in chief be and hereby is directed to appoint an officer to command the southern army, in the room of gen. Gates until such enquiry be made.

FRIDAY, October 6, 1780.

*Resolved*, That the executive of the state of New-York be requested to deliver to the order of Abraham Skinner, commissary-general of prisoners, 200 barrels of flour (in part of the supplies called for from that state by Congress) for the use of the prisoners in New-York.

Congress proceeded to the election of officers in the hospital department, and the ballots being taken,

Doctor William Shippen, jun. was elected director-general;

Doctor John Cochran, chief physician and surgeon of the army;

Doctor James Craik,  
Doctor Melachi Treat,  
Doctor Charles M'Night, } chief hospital physicians.

Congress proceeded to the consideration of the subject relative to the jurisdiction of the tract of country commonly called the New-Hampshire Grants, when a letter, of the 2d, from Ira Allen and Stephen R. Bradley was read.

SATURDAY, October 7, 1780.

Congress proceeded in the election of officers in the hospital department, and the ballots being taken,

Thomas Bond, jun. was elected purveyor,  
Isaac Ledyard, assistant purveyor,  
Doctor Andrew Craigie, apothecary,  
William Johnson, assistant apothecary,

Doctors James Tilton,  
 Samuel Adams,  
 David Townshend,  
 Henry Latimer,  
 Francis Hagan,  
 Philip Turner,  
 William Burnet,  
 John Warren,  
 Moses Scott,  
 David Jackson,  
 Bodo Otto,  
 Moses Bloomfield,  
 William Eustis,  
 George Draper,  
 Barnabas Binney,

Hospital physicians and surgeons.

On motion of the medical committee,

*Resolved*, That doctor Matthew Maus be appointed surgeon to the regiment of invalids commanded by col. L. Nicola, and that col. Nicola be authorised to appoint a proper surgeon's mate to the said regiment, when the number of sick shall make it necessary.

On motion of the delegates of Virginia,

*Resolved*, That Charles Fleming and Forster Webb, Esq'rs. be and hereby are appointed commissioners, on the part of the United States, either of them to endorse the bills that shall be emitted by the state of Virginia, pursuant to the resolution of Congress of the 18th of March last.

MONDAY, October 9, 1780.

A letter, of the 27th, from major gen. Gates was read; whereupon,

*Ordered*, That major Armstrong have leave of absence, for the recovery of his health.

*Resolved*, That John Bradford, continental agent at Boston, be and hereby is directed to sell all the canvas in his possession, except what the navy board of the eastern department may deem sufficient for the immediate use of the navy, or suitable for soldiers' tents; and also to sell all other goods in his hands belonging to the United States, and pay the money arising from the sales, agreeable to the orders of the board of admiralty.

*Resolved*, That the agent for continental prisoners at New-York be and hereby is directed to issue supplies to the navy prisoners, in the same manner as to those of the land army, as practised by him heretofore; and that he make distinct returns to the board of admiralty of all supplies by him issued to the navy prisoners, distinguishing those in continental service from those in private ships of war, and the respective ships and states to which the latter belonged when taken.

TUESDAY, October 10, 1780.

*Resolved*, That the unappropriated lands that may be ceded or relinquished to the United States, by any particular state, pursuant to the recommendation of Congress of the 6th day of September last,

shall be disposed of for the common benefit of the United States, and be settled and formed into distinct republican states, which shall become members of the federal union, and have the same rights of sovereignty, freedom and independence, as the other states: that each state which shall be so formed shall contain a suitable extent of territory, not less than 100 nor more than 150 miles square, or as near thereto as circumstances will admit: That the necessary and reasonable expenses which any particular state, shall have incurred since the commencement of the present war, in subduing any British posts, or in maintaining forts or garrisons within and for the defence, or in acquiring any part of the territory that may be ceded or relinquished to the United States, shall be reimbursed:

That the said lands shall be granted or settled at such times and under such regulations as shall hereafter be agreed on by the United States in Congress assembled, or any nine or more of them.

*FRIDAY, October 13, 1780.*

It appearing from the letters of governors Jefferson and Rutledge, and of major-general Gates, that colonel Morgan's promotion to the rank of a brigadier-general will remove several embarrassments which impede the public service in the southern department, and that it will otherwise greatly advance the said service:

*Resolved* therefore, That colonel Daniel Morgan be and hereby is appointed to the rank of a brigadier-general in the army of the United States.

*Resolved*, That John Wells and Edward Chin, commissioners of accounts in the northern department, be and are hereby appointed an extra chamber of accounts, subject to the rules and regulations laid down in the resolution of Congress of the 12th of June last.

*SATURDAY, October 14, 1780.*

*Resolved*, That a monument be erected to the memory of the late major-general the baron de Kalb, in the city of Annapolis, in the state of Maryland, with the following inscription:

Sacred to the memory of

The B A R O N D E K A L B,  
Knight of the royal order of military merit,  
Brigadier of the armies of France,

And

Major-general in the service of the United States of America:

Having served with honour and reputation for three years,  
He gave a last and glorious proof of his attachment to the liberties of mankind and the cause of America,

In the action near Camden, in the state of South-Carolina,

On the 16th of August, 1780:

Where, leading on the troops of the Maryland and Delaware lines  
against superior numbers,

And animating them by his example to deeds of valour,

He was pierced with many wounds, and

On the 19th following expired, in the 48th year of his age.

The Congress of the United States of America,  
In gratitude to his zeal, services and merit,  
Have erected this monument.

*Resolved*, That the thanks of Congress be given to brigadiers Smallwood and Gist, and to the officers and soldiers in the Maryland and Delaware lines; the different corps of artillery; colonel Porterfield's and major Armstrong's corps of light infantry, and colonel Armand's cavalry; for their bravery and good conduct, displayed in the action of the 16th of August last, near Camden, in the state of South-Carolina.

*Resolved*, That the thanks of Congress be given to such of the militia officers and soldiers who distinguished themselves by their valour on that occasion.

*Ordered*, That an extract of general Washington's letter, mentioning the death of brigadier-general Poor, be referred to the committee of intelligence, and published as a testimony of the high sense Congress entertain of the merit and services of the said brigadier-gen.

*Resolved*, That each of the surveyors of the post-office be allowed 533 $\frac{1}{3}$  dollars per annum, and 3 $\frac{1}{2}$  dollars per day, while travelling the roads in the discharge of their duty.

The secretary to the president of Congress, 450 dollars per annum: The steward to the president of Congress, 550 dollars per annum.

*Resolved*, That the salary of the secretary and comptroller of the post-office be 800 dollars per annum:

That the above salaries be paid in the same manner as those agreed to the 13th of September last.

That in consideration of the nature of the service in which the auditors of accounts at the army are engaged, they be allowed, each, two additional rations per day, while with the army.

*Resolved*, That Samuel W. Stockton, Esq. late secretary to the honourable William Lee, late commissioner for the United States at the courts of Vienna and Berlin, be considered on salary, at the rate of £300 sterling per annum, from the time he left London, to go to Mr. Lee, at Vienna, which was in the month of May, 1778, until he came to this city with letters to Congress, from Mr. Lee, in the month of December, 1779: That Mr. Stockton be not allowed for any expenses, and that the several sums of money he has received, agreeably to his liquidated account, be deducted from the salary aforesaid, and the balance paid to Mr. Stockton, in specie, or current money equivalent; rating specie dollars at 4s. 6d. sterling.

The committee to whom was referred the letter from the senate and house of assembly of the state of New-York, of September 21st, delivered in a report, which was read; whereupon,

Congress passed the following resolution:

Whereas the state of New-York was required, by an act of Congress of the 25th of February last, to furnish 11,200 weight of beef; and whereas it will be of public advantage to procure flour as near as possible to the military posts and quarters of the army:

*Resolved*, That Congress do agree, that the state of New-York, according to their proposals set forth in the letter above mentioned, may substitute flour in lieu of any quantity of beef which may be de-

ficient on the 1<sup>st</sup> day of November next, of the quota allotted to the said state, at the rate of  $4\frac{1}{2}$  dollars for every hundred weight of flour, and  $5\frac{1}{2}$  dollars for every hundred weight of beef; provided, nevertheless, that the said state shall continue to provide and deliver the quantity of beef requested to be furnished by the committee of Congress, lately with the army, in their letter of the 2d of June last, and 1125 head of cattle, in addition thereto.

The committee to whom was referred the application of the state of New-York, and the motion of Mr. Livingston for the relief of the treasury of that state, report as their opinion,

That if the application should be granted, the like benefit may be claimed for other states; that there is reason to believe that a compliance with such demands would involve the United States in the greatest difficulties, and that it cannot therefore be complied with:

*Resolved*, That Congress agree to the said report.

MONDAY, October 16, 1780.

It appearing to Congress that lieut. col. Ternant had impressed from him two good riding horses during the siege of Charles-Town, by order of the state of South-Carolina,

*Ordered*, That the quartermaster-general furnish lieut. col. Ternant with two good horses, reporting their value to the treasury board, who are hereby directed to make the said state accountable.

TUESDAY, October 17, 1780.

*Ordered*, That doctor Isaac Forster and doctor Jonathan Potts deliver all public stores in their possession to doctor Thomas Bond, purveyor of the hospitals, or his order, taking duplicate receipts for the same, and transmitting one of each to the board of treasury.

WEDNESDAY, October 18, 1780.

Congress took into consideration the resolution reported for setting a-part a day of thanksgiving and prayer, and agreed to the following draught:

WHEREAS it hath pleased Almighty God, the father of all mercies, amidst the vicissitudes and calamities of war, to bestow blessings on the people of these states, which call for their devout and thankful acknowledgments, more especially in the late remarkable interposition of his watchful providence, in rescuing the person of our commander in chief and the army from imminent dangers, at the moment when treason was ripened for execution; in prospering the labours of the husbandmen, and causing the earth to yield its increase in plentiful harvests; and, above all, in continuing to us the enjoyment of the gospel of peace.

It is therefore recommended to the several states to set a-part Thursday, the 7th day of December next, to be observed as a day of public thanksgiving and prayer; that all the people may assemble on that day to celebrate the praises of our Divine Benefactor; to confess our unworthiness of the least of his favours, and to offer our fervent supplications to the God of all grace; that it may please him to pardon our heinous transgressions and incline our hearts for the future to

keep all his laws; to comfort and relieve our brethren who are any wife afflicted or distressed: to smile upon our husbandry and trade; to direct our public councils, and lead our forces, by land and sea, to victory; to take our illustrious ally under his special protection, and favour our joint councils and exertions for the establishment of speedy and permanent peace; to cherish all schools and seminaries of education, and to cause the knowledge of Christianity to spread over all the earth.

Done in Congress, this 18th day of October, 1780, and in the fifth year of the independence of the United States of America.

THURSDAY, October 19, 1780.

Three letters from gen. Washington, all dated the 15th, were read, one of them enclosing copies of proposals for appointing a commissary of prisoners to reside with the American and British armies respectively; whereupon,

*Resolved*, That the commander in chief be authorised to carry into effect the proposals offered on his part, or to make any other agreement for the appointment of such commissaries of prisoners as he shall judge proper.

SATURDAY, October 21, 1780.

Congress resumed the consideration of the report of the committee on general Washington's letter of the 11th; and thereupon,

*Resolved*, That the several regiments of infantry, requested from the respective states, by a resolution of the 3d inst. be augmented, and consist of one colonel, one lieutenant-colonel, one major, where the full colonels are continued: or one lieutenant-colonel commandant and two majors, where full colonels are not continued.

9 Captains,  
22 Subalterns,  
1 Surgeon,  
1 Surgeon's mate,  
1 Serjeant-major,  
1 Quartermaster-serjeant,  
45 Serjeants,  
1 Drum-major,  
1 Fife-major,  
10 Drums,  
10 Fifes,  
612 Rank and file:

That there be one captain and two subalterns to each company, and that the four supernumerary subalterns shall each have the rank of lieutenant, one of which is to reside in the state to which he belongs, to enlist and forward on recruits; one drum and fife from each regiment to attend the recruiting officer; the other three supernumerary officers to do the duty of paymaster, quartermaster and adjutant, in their respective regiments.

That the regiments of artillery be augmented to 10 companies each.

That, instead of 4 regiments of cavalry, there be 4 legionary corps, consisting of 4 troops of mounted dragoons and 2 of dismounted dra-

goons, each consisting of 60 privates, with the same number of commissioned and non-commissioned officers to each troop as at present.

That there be two partisan corps, consisting of 3 troops of mounted and 3 of dismounted dragoons, of 50 each, one of which corps to be commanded by col. Armand, and the other by major Lee, and officered by appointment of the commander in chief, with the approbation of Congress: and that the commander in chief be authorised to direct a mode for completing, recruiting and supplying the said corps.

That the whole of the troops be enlisted during the war, and join their respective corps by the 1st day of January next.

That the commander in chief and commanding officer in the southern department, direct the officers of each state to meet and agree upon the officers for the regiments to be raised by their respective states, from those who incline to continue in service; and where it cannot be done by agreement, to be determined by seniority, and make return of those who are to remain, which is to be transmitted to Congress, together with the names of the officers reduced, who are to be allowed half pay for life.

That the officers who shall continue in the service to the end of the war, shall also be entitled to half pay during life, to commence from the time of their reduction.

*Ordered*, That John Bradford, continental agent at Boston, deliver to the quartermaster-general or his order, all the duck in his hands suitable for tents, the property of the United States, to be made up into tents for the army, reserving only so much thereof, as in the opinion of the board of admiralty, is necessary for the immediate supply of the navy.

That the board of admiralty forthwith give the necessary information to the said agent, that whatsoever is not appropriated to the use of the navy, be delivered over to the quartermaster-general without delay.

A letter, of the 4th, from W. Rickman was read; whereupon,

*Ordered*, That doctor Rickman be informed, that pursuant to his former request, he is left out in the new arrangement of the hospital department.

—  
*MONDAY, October 23, 1780.*

Congress proceeded to the election of a major gen. and the ballots being taken,

Brigadier Samuel Holden Parsons was elected, having been previously nominated by Mr. B. Huntington.

—  
*TUESDAY, October 24, 1780.*

*Resolved*, That E. Blaine, commissary-general of purchases be directed to make accurate returns to Congress of the supplies furnished by each state since the last day of December last.

That the state agents transmit to the commander in chief and to the commissary-general, respectively, monthly returns of all the provisions which shall be drawn into their hands, specifying the articles and magazines or places where they shall be deposited. And as this regulation is of the utmost importance to the safety of the army and the success of military operations, it be earnestly recommended to the se-

veral legislatures to enjoin it as a duty on their state agents, under penalties which will enforce a prompt and punctual obedience; and that the commissary-general transmit copies of all such returns to the board of war without delay; and that he also lay before Congress a general monthly return of all provisions which shall hereafter be furnished by the states.

*Resolved*, That the states of Pennsylvania, Delaware and Maryland be desired to forward to camp without delay, the cattle called for by the resolution of the 15th day of September last.

That a copy of the letter from E. Blaine, and its enclosures, be transmitted without delay to the several states, who are hereby requested to take into their serious consideration the present want and distresses of the army, that they furnish and forward by means the most efficacious, the supplies requested from them respectively; and that this subject, from the advanced season of the year, the critical state of our affairs, and the calamities consequent on the dissolution of the army, ought, in the opinion of Congress, to engage the unremitting attention of the states.

WEDNESDAY, October 25, 1780.

*Resolved*, That the board of war be and hereby is directed to order such quantities of cloth and trimmings, purchased from messrs. Tracy and company, and now in store, as the commander in chief shall direct, to be forwarded, in order to be made up in the army; and that they take the necessary measures for having the rest of the clothing made up and delivered to the clothier general for the use of the troops, as they may be required.

That in addition to the measures taken by Congress; it be and hereby is recommended to the respective states to exert their utmost endeavours to furnish their quotas of troops in the continental line with clothing, on the terms mentioned in the former resolutions of Congress on this subject.

THURSDAY, October 26, 1780.

Whereas the commissary-general of purchases has represented to Congress, that 5000 bushels of salt, which is lodged in the public magazines in the state of Massachusetts-Bay, is immediately wanted for the public service: that a dispute has arisen whether it is the property of the United States or of Abraham Livingston, continental agent in South-Carolina, and that it has been agreed that it should remain in store until the determination of Congress should be known: and whereas it is impracticable to ascertain the grounds of Mr. Livingston's claim, he being now a prisoner of war in Charles-Town:

*Resolved* therefore, That the said salt be delivered to the commissary-general of purchases or his order, for the public use; and if it shall hereafter appear that the salt or any part of it is the rightful property of Mr. Livingston, that he shall receive a just compensation for the same.

FRIDAY, October 27, 1780.

*Resolved*, That the board of war be informed, that Congress ap-

prove of their purchasing clothing for 1000 men, and laying out the remainder of the money arising from the sale of the bills of exchange in the purchase of flour or other necessaries, to be immediately forwarded for the prisoners of war, agreeably to the resolution of the 23d of August last: that the clothing be disposed of to the continental troops only, and the provisions to them and the militia who were actually taken in arms and remain prisoners of war in South-Carolina and Georgia.

—————  
*SATURDAY, October 28, 1780.*

*Resolved*, That the director of the hospitals, the chief physicians and surgeons of the hospitals and the army, and the other physicians and surgeons of the hospital, and also the purveyor, apothecary and their respective assistants, and the stewards, do severally take the oaths or affirmations directed by a resolution of Congress of February 3d, 1778; and deposit duplicate certificates of taking the same with the medical committee as soon as possible: that the said officers, respectively, be subject to the pains and penalties mentioned in the resolutions of the above date for neglecting to take the said oaths or affirmations: and that the director of the hospitals take measures for carrying this resolution into immediate effect.

*Resolved*, That the honourable John Adams be and hereby is authorised and instructed to accept the bills of exchange drawn on the honourable Henry Laurens, in pursuance of the resolution of Congress of the 6th instant, in the same manner as he is authorised and instructed to accept those heretofore drawn on Mr. Laurens, according to the resolutions of November 23d, 1779: and in case of the absence of Mr. Adams, the authority hereby granted be and is hereby extended to the honourable Francis Dana.

—————  
*MONDAY, October 30, 1780.*

*Resolved*, That Congress approve the appointment by the commander in chief, of major gen. Greene to the command of the southern army, agreeably to their resolution of the 5th instant, and adopt his opinion, that the talents and service of major gen. the baron Steuben, inspector-general, will be very useful in the southern department; to which he is, therefore, hereby directed to repair;

That the army for the said department do consist of all the regular regiments and corps raised and to be raised, from the states of Delaware to Georgia inclusive, until the further orders of Congress or the commander in chief:

That all the powers heretofore given by Congress to major gen. Gates, since his appointment to that command, be and hereby are continued and invested in major gen. Greene; who is also to consider as instructions, all such resolutions as have been entered into by Congress since the time aforesaid, directing in any general or particular business respecting the said department. That he have power also to organize and employ the army under his command, in the manner he shall judge most proper, subject to the control of the commander in chief:

That it be earnestly recommended to the legislatures and execu-

tives of the said states respectively, to afford every necessary assistance and support in men, clothing, money, arms, intrenching tools, provisions and other aids and supplies to major gen. Greene, who is hereby authorised to call for the same:

That the heads of the several staff departments for supplying the main army be and hereby are directed to furnish, to the orders of major gen. Greene, such articles as, upon enquiry, he shall find cannot be obtained in the southern department.

And whereas it has been represented to Congress, that the commanding officer of the southern department entertains doubts respecting his powers, with regard to the exchange of prisoners:

*Resolved*, That he be authorised to negotiate from time to time a cartel or exchange of prisoners, with the commanding officer of the British army in that department; provided such exchanges be not contrary to any general directions of Congress or the commander in chief.

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*TUESDAY, October 31, 1780.*

*Resolved*, That the pressing emergency of our southern affairs requiring as speedy a reinforcement of cavalry as possible, major Lee's corps be ordered to proceed immediately on their route to join the southern army.

— — — — —  
*FRIDAY, November 3, 1780.*

*Resolved*, That col. Jeduthan Baldwin continue to receive the pay of col. of engineers, as heretofore.

*Resolved*, That the consul, to be appointed to reside in France, be allowed a salary of 1500 dollars per annum, in lieu of all commissions for business done on account of the United States.

Whereas Congress have received information that John Paulding, David Williams and Isaac Van Vert, three young volunteer militiamen of the state of New-York, did, on the 23d day of September last, intercept major John Andre, adjutant-general of the British army, on his return from the American lines, in the character of a spy; and notwithstanding the large bribes offered them for his release, nobly disdaining to sacrifice their country for the sake of gold, secured and conveyed him to the commanding officer of the district, whereby the dangerous and traitorous conspiracy of Benedict Arnold was brought to light, the insidious designs of the enemy baffled, and the United States rescued from impending danger.

*Resolved*, That Congress have a high sense of the virtuous and patriotic conduct of the said John Paulding, David Williams and Isaac Van Vert.

In testimony whereof,

*Ordered*, That each of them receive annually, out of the public treasury, 200 dollars in specie, or an equivalent in the current money of these states, during life; and that the board of war procure for each of them a silver medal, on one side of which shall be a shield with this inscription, "Fidelity," and on the other the following motto, "Vincit amor patriæ," and forward them to the commander in chief, who is requested to present the same, with a copy of this re-

solution, and the thanks of Congress for their fidelity, and the eminent service they have rendered their country.

SATURDAY, November 4, 1780.

*Resolved*, That it be and hereby is recommended to the several states to levy, in the proportions hereafter mentioned, a tax, equal in value to 6,000,000 of silver dollars, to be paid partly in the specific articles and at the prices hereafter enumerated, and the residue in gold or silver, or bills of credit emitted pursuant to the resolution of the 18th of March last:

New-Hampshire.

2500 barrels of beef; at 17 1-2 dollars per barrel.  
 6000 hundred weight of beef; at 5 1-2 dollars per hundred weight.  
 2000 hundred weight of beef; at 8 dollars per hundred weight.  
 20124 gallons of West-India rum, full proof; at 1 2-3 dollar per gallon;

and the balance of 47,623 dollars in money.

Massachusetts-Bay.

16000 barrels of beef; at 17 1-2 dollars per barrel.  
 2000 barrels of pork; at 22 dollars per barrel.  
 29250 hundred weight of beef; at 5 1-2 dollars per hundred weight.  
 9750 hundred weight of beef, at 8 dollars per hundred weight.  
 74576 gallons of West-India rum, full proof; at 1 2-3 dollars per gallon.  
 13000 bushels of salt; at 3 dollars per bushel;  
 and the balance of 273,831 2-3 dollars in money.

Rhode-Island and Providence Plantations.

900 barrels of beef; at 17 1-2 dollars per barrel.  
 83 barrels of pork; at 22 dollars per barrel.  
 1500 hundred weight of beef; at 5 1-2 dollars per hundred weight.  
 500 hundred weight of beef; at 8 dollars per hundred weight.  
 20000 gallons of West-India rum, full proof; at 1 2-3 dollar per gallon;  
 and the balance of 23,797 2-3 dollars in money.

Connecticut.

15000 barrels of beef; at 17 1-2 dollars per barrel.  
 3000 barrels of pork; at 22 dollars per barrel.  
 18750 hundred weight of beef; at 5 1-2 dollars per hundred weight.  
 6250 hundred weight of beef; at 8 dollars per hundred weight.  
 25000 gallons of West-India rum, full proof; at 1 2-3 dollar per gallon.

813 bushels of salt; at 3 dollars per bushel;  
 and the balance of 202,399 1-3 dollars in money.

New-York.

2800 barrels of beef; at 17 1-2 dollars per barrel.  
 1500 barrels of pork; at 22 dollars per barrel.  
 16000 barrels of flour; at 9 dollars per barrel.  
 1320 hundred weight of beef, at 5 1-2 dollars per hundred weight.  
 441 hundred weight of beef; at 8 dollars per hundred weight;  
 and the balance of 89,295 1-2 dollars in money.

## New-Jersey.

3000 barrels of beef; at 17 1-2 dollars per barrel.  
 4000 barrels of pork; at 22 dollars per barrel.  
 12000 barrels of flour; at 9 dollars per barrel.  
 4000 hundred weight of beef; at 5 1-2 dollars per hundred weight.  
 1333 hundred weight of beef; at 8 dollars per hundred weight.  
 996 bushels of salt; at 3 dollars per bushel;  
 and the balance of 107,152 dollars in money.

## Pennsylvania.

3000 barrels of beef; at 17 1-2 dollars per barrel.  
 2000 barrels of pork; at 22 dollars per barrel.  
 1500 hundred weight of beef; at 5 1-2 dollars per hundred weight.  
 500 hundred weight of beef; at 8 dollars per hundred weight.  
 55000 barrels of flour; at 9 dollars per barrel.  
 50000 gallons of West-India rum, full proof; at 1 2-3 dollar per gallon.  
 13028 bushels of salt; at 3 dollars per bushel;  
 and the balance of 273,832 2-3 dollars in money.

## Delaware.

800 barrels of pork; at 22 dollars per barrel.  
 3471 barrels of flour; at 9 dollars per barrel.  
 2000 gallons of West-India rum, full proof; at 1 2-3 dollar per gallon.  
 500 bushels of salt; at 3 dollars per bushel;  
 and the balance of 20240 2-3 dollars in money.

## Maryland.

4800 barrels of beef; at 17 1-2 dollars per barrel.  
 5500 barrels of pork; at 22 dollars per barrel.  
 20000 barrels of flour; at 9 dollars per barrel.  
 9000 hundred weight of beef; at 5 1-2 dollars per hundred weight.  
 3000 hundred weight of beef; at 8 dollars per hundred weight.  
 17007 gallons of West-India rum, full proof; at 1 2-3 dollar per gallon.  
 4000 bushels of salt; at 3 dollars per bushel;  
 and the balance of 188,111 dollars in money.

## Virginia.

9000 barrels of beef; at 17 1-2 dollars per barrel.  
 10617 barrels of pork; at 22 dollars per barrel.  
 7529 barrels of flour; at 9 dollars per barrel.  
 23670 hundred weight of beef; at 5 1-2 dollars per hundred weight.  
 7890 hundred weight of beef; at 8 dollars per hundred weight.  
 70292 gallons of West-India rum, full proof; at 1 2-3 dollars per gallon.  
 6673 bushels of salt; at 3 dollars per bushel;  
 and the balance of 297,645 dollars in money.

## North-Carolina.

3600 barrels of beef; at 17 1-2 dollars per barrel.  
 5000 barrels of pork; at 22 dollars per barrel.  
 6000 barrels of flour; at 9 dollars per barrel.  
 7500 hundred weight of beef; at 5 1-2 dollars per hundred weight.  
 2500 hundred weight of beef; at 8 dollars per hundred weight.

991 bushels of salt; at 3 dollars per bushel.  
 21000 gallons of West-India rum, full proof; at 1 2-3 dollar per-gallon;  
 and the balance of 119,060 dollars in money.

*Resolved*, That the articles aforesaid be delivered by the respective states, on or before the several dates hereafter mentioned, at such place or places, within the respective states, as the commander in chief shall direct, viz.

New-Hampshire.

2500 barrels of beef, 3000 gallons of rum, on before the 1st day of January, 1781.

1500 gallons of rum, on or before the 1st day of March, 1781.

3000 gallons of rum, on or before the 1st day of May, 1781.

12624 gallons of rum, on or before the 15th day of July, 1781.

By Massachusetts-Bay.

16000 barrels of beef, 2000 barrels of pork, 18000 gallons of rum, 2000 bushels of salt, on or before the 1st day of January, 1781.

9000 gallons of rum, 1000 bushels of salt, on or before the 1st day of March, 1781.

18000 gallons of rum, 2000 bushels of salt, on or before the 1st day of May, 1781.

29576 gallons of rum, 8000 bushels of salt, on or before the 15th day of July, 1781.

By Rhode-Island.

900 barrels of beef, 83 barrels of pork, 5000 gallons of rum, on or before the 1st day of January, 1781.

1500 gallons of rum, on or before the 1st day of March, 1781.

3000 gallons of rum, on or before the 1st day of May, 1781.

12508 gallons of rum, on or before the 15th day of July, 1781.

By Connecticut.

15000 barrels of beef, 3500 barrels of pork, 4000 gallons of rum, on or before the 1st day of January, 1781.

2000 gallons of rum, on or before the 1st day of March, 1781.

4000 gallons of rum, on or before the 1st day of May, 1781.

15000 gallons of rum, 813 bushels of salt, on or before the 15th of July, 1781.

By New-York.

2800 barrels of beef, 1500 barrels of pork, 4000 barrels of flour, on or before the 1st day of January, 1781.

2000 barrels of flour, on or before the 1st day of March, 1781.

4000 barrels of flour, on or before the 1st day of May, 1781.

6000 barrels of flour, on or before the 15th of July, 1781.

By New-Jersey.

3000 barrels of beef, 4000 barrels of pork, 2000 barrels of flour, on or before the 1st day of January, 1781.

1000 barrels of flour, on or before the 1st of March, 1781.

2000 barrels of flour, on or before the 1st of May, 1781.

7000 barrels of flour, 996 bushels of salt, on or before the 15th of July, 1781.

## By Pennsylvania.

3000 barrels of beef, 2000 barrels of pork, 6000 barrels of flour,  
 9000 gallons of rum, 2000 bushels of salt, on or before  
 the 1st day of January, 1781.

3000 barrels of flour, 4500 gallons of rum, 1000 bushels of salt,  
 on or before the 11th of March, 1781.

6000 barrels of flour, 9000 gallons of rum, 2000 bushels of salt,  
 on or before the 1st day of May, 1781.

40000 barrels of flour, 27500 gallons of rum, 8028 bushels of salt,  
 on or before the 15th of July, 1781.

## By Delaware.

800 barrels of pork, 500 barrels of flour, on or before the 1st  
 day of January, 1781.

250 barrels of flour, on or before the 1st day of March,  
 1781.

500 barrels of flour, on or before the 1st of May, 1781.

2221 barrels of flour, 2000 gallons of rum, 500 bushels of salt,  
 on or before the 15th of July, 1781.

## By Maryland.

4800 barrels of beef, 5500 barrels of pork, 2500 barrels of flour,  
 800 gallons of rum, 1000 bushels of salt, on or before the  
 1st of January, 1781.

1250 barrels of flour, 400 gallons of rum, 500 bushels of salt, on  
 or before the 1st day of March, 1781.

2500 barrels of flour, 800 gallons of rum, 1000 bushels of salt,  
 on or before the 1st day of May, 1781.

13750 barrels of flour, 15007 gallons of rum, 1500 bushels of salt,  
 on or before the 15th day of July, 1781.

## By Virginia.

9000 barrels of beef, 10617 barrels of pork, 2500 barrels of flour,  
 11000 gallons of rum, 1000 bushels of salt, on or before  
 the 1st day of January, 1781.

1250 barrels of flour, 5500 gallons of rum, 500 bushels of salt, on  
 or before the 1st day of March, 1781.

2500 barrels of flour, 11000 gallons of rum, 1000 bushels of salt,  
 on or before the 1st day of May, 1781.

1279 barrels of flour, 42792 gallons of rum, 4173 bushels of salt,  
 on or before the 15th of July, 1781.

## By North-Carolina.

3000 barrels of beef, 5000 barrels of pork, 2000 barrels of flour,  
 4000 gallons of rum, on or before the 1st day of January,  
 1781.

1000 barrels of flour, 2000 gallons of rum, on or before the 1st  
 day of March, 1781.

2000 barrels of flour, 4000 gallons of rum, on or before the 1st  
 day of May, 1781.

1000 barrels of flour, 11000 gallons of rum, 991 bushels of salt,  
 on or before the 15th of July, 1781.

*Resolved*, That each barrel of beef contain 240 pounds net; each  
 barrel of pork contain 220 pounds net; each barrel of flour contain  
 224 pounds net.

That the beef on foot be delivered at such times and places as the commissary-general shall order.

*Resolved*, That a return be made on the days aforesaid, respectively, to the board of war, and duplicates to the commissary-general.

*Resolved*, That the sums of money above mentioned be paid into the treasury of the United States, in four equal quarterly payments, and that the first payment be made on the 1st day of May, 1781.

*Resolved*, That pork be received from any state, in lieu of beef, or beef in lieu of pork, in quantities proportioned to the prices annexed to each, by a resolution of Congress of the 25th of February last:

That continental rum, or other spirits suitable for the army, be received in lieu of West-India rum, in proportion to the prices assigned to each by the said resolution.

That Indian meal, well sifted or bolted, be received in lieu of flour, in the proportion of one pound and an half of the former for one pound of the latter, to be issued to the army in the same proportion; provided that no Indian meal be thus commutable after the 1st day of March, without the approbation of the officer commanding in the department.

*Resolved*, That if it shall appear, on an adjustment of the quotas of the several states, that any state has supplied more than its due proportion in value, every such state shall be paid the value of the surplus at the rates aforesaid, in specie, with interest at six per cent. per annum, from the time such surplus shall have been deposited as above directed; and every state which shall have failed to supply its due proportion, shall be charged with the deficiency at the rates aforesaid, and the like interest thereon, from the time that the same ought to have been deposited.

Congress proceeded to the election of a consul to reside in France, and the ballots being taken,

William Palfrey was elected, having been previously nominated by Mr. Walker.

MONDAY, November 6, 1780.

The delegates for Connecticut laid before Congress the credentials of their appointment, which were read.

*Resolved*, That the partisan corps commanded by major Lee, in future have two field officers, a lieutenant-colonel and a major.

*Resolved*, That major Lee be and hereby is promoted, to the rank of lieutenant-colonel of cavalry in the army of the United States, retaining the command of his present corps:

That the farther arrangement of his said corps be referred to the commander in chief, to take order.

The committee to whom was referred the report of the board of treasury, on the memorial of R. Pomeroy, delivered in a report: whereupon,

*Resolved*, That, in the liquidation of the accounts of R. Pomeroy, sole commissioner for settling and paying the arrears of clothing for the army in 1777, the board of treasury be authorised to allow him a salary after the rate of 1200 dollars per annum, to be computed from March 6th, 1779, being the time of his appointment to office, to the

14th of this instant, November; and that the balance be paid to him in bills of the emission pursuant to the resolution of Congress of the 18th of March last, and a warrant, reported accordingly, in his favour on John Lawrence, Esq. commissioner of the continental loan-office in the state of Connecticut.

*Ordered*, That the board of treasury charge the honourable Arthur Lee, Esq. in their books, with the monies supplied him by Mr. John Bradford; that so much of their report as relates to col. George Morgan's accounts, be re-committed, and that the board be informed,

That the interest heretofore paid on loan-office certificates, under the resolutions of Congress, previous to the 28th of June last, was paid and received as full compensation for interest due, agreeably to the said resolutions, that all money loaned under the said resolutions was paid in on a dependance that the said resolutions would be complied with; and therefore that no retrospect in additional interest, where the interest has been duly paid agreeably to the resolutions aforesaid, ought to take place, but that from and after the 28th June last, all interest on loan-office certificates be paid agreeably to the resolution of June 28th, on which the table for ascertaining the value of money loaned is founded.

THURSDAY, November 9, 1780.

A memorial of the Rev. James Sproat and Elihu Spencer was read; whereupon,

*Resolved*, That the hospital chaplains having been discontinued, the commander in chief be and hereby is directed to appoint brigade chaplains from the army, from time to time to attend the established hospitals.

A report from the board of war was read; whereupon,

*Ordered*, That the board of war take order for the payment of the three horses reported to be purchased for the use of lieut. col. Lee.

*Resolved*, That the officers of cavalry be enjoined to make no purchases of horses on public account without the order of Congress.

FRIDAY, November 10, 1780.

*Resolved*, That Congress approve of the orders given by the commander in chief to brigadier gen. Clinton, to supply the Canadian families residing in the state of New-York with a ration for each individual; and that the governor of the said state be requested to cause an enquiry to be made into their circumstances, to take them under his protection, and to give them such further assistance, at the expense of the United States, as he shall judge necessary.

*Resolved*, That the accounts of capt. Traversie, for services done for the United States, by order of major gen. Gates, be paid, and that the board of treasury liquidate his accounts; and that a warrant issue on the treasurer for the balance which shall be found due to him.

The board of admiralty, to whom was referred a letter of the 1st, from the minister of France, setting forth the several inconveniences resulting from the abuse the British make of papers or clearances they take in American prizes, delivered in a report; whereupon,

*Resolved*, That it be and hereby is recommended to the governors or presidents of the several states, who grant commissions for private vessels of war, that on the back of the commission there be inserted, a minute description of the persons of the captain and his lieutenant, with their age, stature, complexion, &c. respectively certified by the governor or president under his seal of office.

That where commissions, commonly called letters of marque and reprisal, are granted to armed vessels going on mercantile voyages, the master and his chief mate be required to undersign their clearances, in the presence of the naval officer of the port, who is also to insert on the back of the clearance, a minute description of the persons of the master and chief mate, with their age, stature, complexions, &c. respectively, and to certify the same under his signature and seal of office.

*Resolved*, That the salary of John Lawrence, as judge advocate, be settled at the rate of 60 dollars per month, from the time of his appointment to the 27th of March 1778, and from that day to the 1st of August last, at the rate of 75 dollars per month: That the depreciation on his pay shall be adjusted on the same principles as are directed with respect to that part of the line of the army which is to be provided for by Congress: that from the 1st day of August last, his pay and appointments be 140 dollars per month, 2 rations per day, exclusive of what is allowed to the office by the arrangement of the quartermaster's department:

That Mr. Edwards, besides his pay as a lieut. shall be entitled to an addition of 15 dollars per month, as deputy judge advocate, and that Mr. Strang shall in all respects, excepting the rank of lieut. be entitled to the pay and appointments provided for Mr. Edwards, for the time he hath or shall continue to execute the office of deputy judge advocate.

*Resolved*, That the commissioners of the continental loan-offices in the respective states, be and hereby are directed to forward to the continental treasury at Philadelphia, all such continental bills of credit as may have been from time to time lodged in their offices, pursuant to the act of Congress of the 18th day of March last; having first cancelled them in the mode prescribed by the resolution of the 1st day of September last, that they may be examined and burned.

*Resolved*, That the commander in chief be, and hereby is fully authorised and directed to cause all horses in the army, whether of public or of private property, to be immediately removed from thence, which in his opinion are not absolutely necessary to be retained for public use:

That all horses belonging to officers, for which forage is allowed, shall, in case they are removed beyond the distance from which long forage is brought to the army, be furnished with their rations of forage during the winter, or an equivalent in money paid for the same, if kept at the expense of the owners:

That the quartermaster-general take immediate measures for removing all horses, the property of the United States, which, in the opinion of the commander in chief, can be spared from the army, into

some one or more of the said states where he can provide the said horses with forage on reasonable terms :

That if it be deemed preferable by the commander in chief, that a proportion of the public horses should be disposed of for draft oxen, to be provided for the ensuing campaign, he be authorised to direct the quartermaster-general to effect the same, in such manner as may be most beneficial to the public service :

That the quartermaster-general immediately apply to the executive authority of the states nearest the quarters of the main army, to furnish such quantities of forage as may be in their power, to enable him to lay up proper magazines for the use of the army ; and that he also apply to the more distant states to furnish the intermediate posts with forage for the purpose of transporting provisions and stores to the army, and provide forage for the horses removed from the army :

That, as soon as the foregoing resolutions for the removal of the horses in camp are carried into effect, the commander in chief cause returns to be made to the board of war, of all horses, both of public and private property, kept in camp at the public expense, and also of those removed, noting at what places kept and on what business employed.

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MONDAY, November 13, 1780.

A letter, of the 7th, from governor Jefferson, was read, inclosing a letter, of the 1st, from major gen. Gates, with a particular account of the victory obtained by the militia over the enemy at King's Mountain, on the 7th of October last ; whereupon,

*Resolved*, That Congress entertain a high sense of the spirited and military conduct of colonel Campbell, and the officers and privates of the militia under his command, displayed in the action of October 7th, in which a complete victory was obtained over superior numbers of the enemy, advantageously posted on King's Mountain, in the state of North-Carolina ; and that this resolution be published by the commanding officer of the southern army, in general orders.

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TUESDAY, November 14, 1780.

*Resolved*, That Congress approve the mode suggested by the commander in chief, of incorporating the remainder of the men of the late brigadier gen. Pulaski's legion, and as many of the officers as there are vacancies for, into col. Armand's corps ; and that a return be made to the board of war of the deficiency of that corps, that measures may be taken to complete it according to the late establishment ; and that lieut. col. Lee make a return of the deficiency of his corps, for the same purpose.

That the commander in chief be directed to lay before Congress a return of the officers of the engineering department, including those of the companies of sappers and miners, and distinguishing such as, in his judgment, it will be necessary to retain in service, in order that the officers of that department, who shall be continued in service, may be put on an equal establishment with the officers of the line, and that provision may be made for such as shall be reduced.

*Resolved*, That the clause of the letter from the commander in

chief of the 7th, which respects the laying in magazines of provisions contiguous to the army, while the season admits of transportation, be forwarded to the executives of the states of Pennsylvania, Delaware and Maryland; that they be informed the efforts of those states are become the more essential from the destruction of the grain upon the western frontiers of the state of New-York in the late incursion of the enemy; and

That they be earnestly required to urge forward, without loss of time, as great a proportion of the provisions assigned to their quotas as can be procured, that the army may no longer be exposed to want, or Congress to complaints, which it is out of their power to redress.

And whereas it is represented by the commander in chief, that the enemy at New-York derive great supplies of provisions from a trade with the adjacent states, and that the penalty of this criminal commerce, by the laws now existing, is either so slight or so little attended to, that it does not prevent the practice: and that by these means the enemy have often been enabled to bear the disappointment of the arrival of their provision fleets, and to avoid the distress which they must have experienced had the resources of the country been effectually cut off from them: and whereas most nations have made it capital for their subjects to furnish the enemy with provisions and military stores during war:

*Resolved*, That it be and hereby is recommended to the legislatures of the respective states, by whom it hath not already been done, to inflict capital punishment on all such persons as shall, directly or indirectly, supply the enemy with provisions or military or naval stores: and that the most effectual measures be adopted by the respective states for the vigorous execution of such laws.

WEDNESDAY, November 15, 1780.

*Resolved*, That the salaries of the officers on the civil list, as fixed by the resolution of the 13th and 25th of September last, shall have retrospect from that day to the 2d of November, 1778: that the value of all monies and articles received on account of salaries since the said 2d day of November, shall be accounted for and ascertained, agreeable to the resolutions of the 28th of June last: and that the balances shall be paid in the bills of credit emitted pursuant to the resolution of the 18th day of March, 1780, any former resolution to the contrary notwithstanding.

*Ordered*, That the board of treasury take immediate measures for completing the settlement of the accounts of William Palfrey, late paymaster-general, agreeably to his request, that he may forthwith proceed to the execution of the office to which he was appointed on the 4th instant: that in the adjustment of his accounts an allowance be made for his pay and subsistence, at the rate fixed by Congress, before the 1st day of September, 1777, upon the principle established in the resolution of this day:

That Mr. Audibert be allowed, for his services as first clerk in the office of paymaster-general, 500 dollars per annum; and that a settle-

ment of his accounts be accordingly made by the board of treasury on the principle above mentioned.

THURSDAY, November 16, 1780.

A letter, of the 10th, from Charles Stewart, commissary-general of issues, was read, respecting the resignation and settlement of the account of James Gray, deputy commissary-general at Albany, and proposing that James Gamble, who is now in the department with the grand army, may be appointed to conduct the business heretofore under the charge of Mr. Gray, until the settlement of Mr. Gray's accounts; whereupon,

*Resolved*, That Congress approve of the said proposal: that the said commissary-general be directed to carry the same into effect; and Mr. Gray settle his accounts without loss of time.

MONDAY, November 20, 1780.

Congress took into consideration the report of the committee on governor Jefferson's letter, of the 7th; and thereupon,

*Resolved*, That it be recommended to the governor of Virginia, to cause the prisoners taken at King's Mountain to be secured in such manner and at such places as he may judge proper:

That a list of the names of the tory prisoners be taken, distinguishing the states, county or district to which they severally belong, and transmitted to the executive of their several states, who are requested to take such order respecting them, as the public security and the laws of the respective states may require.

TUESDAY, November 21, 1780.

*Resolved*, That a member be elected for the board of war; The member chosen, Mr. Cornell.

THURSDAY, November 23, 1780.

Mr. J. Root, a delegate for the state of Connecticut, attended and took his seat.

*Resolved*, That the board of treasury furnish the honourable Ralph Izard with bills of exchange, out of those already ordered to be drawn on doctor Franklin and Mr. Jay, to the amount of 52,113 livres, being the balance of his account, as accepted by Congress on the 11th of August last; 30,000 livres thereof to be on Mr. Jay, and the remainder on doctor Franklin.

*Resolved*, That the honourable John Adams be informed of this transaction, which is to supersede the orders given to the honourable Henry Laurens, on the 11th of August last, for the payment of the said balance of 52,113 livres to Mr. Izard.

The board of war, to whom was referred the petition of captain Joseph Traversi, report,

That it is inexpedient to give him any military rank in the army of the United States:

*Resolved*, That Congress agree to the said report.

*FRIDAY, November 24, 1780.*

Mr. Clymer, a delegate for the state of Pennsylvania, attended and produced the credentials of the delegates for that state, which were read.

The board of war, to whom was referred the letter from col. Tupper, delivered in a report; whereupon,

*Resolved*, That the letter, of the 6th instant, from col. Benjamin Tupper, requesting payment for 55 stand of arms, detained by col. Fellows from the men of the 8th Massachusetts regiment, at the close of the year 1775, be referred to the executive of Massachusetts-Bay, to examine into the nature of the claim; and, if equitable, to take order for the payment of the same, on account of the United States.

*Ordered*, That doctor Shippen, director of the hospitals, repair to head-quarters, and put himself under the orders of the commander in chief.

*SATURDAY, November 25, 1780.*

A bill of exchange was presented to Congress, drawn on the honourable John Hancock, president of Congress, by Samuel Chew, in favour of the order of Michael Hendrick Lesten, expressed for the sum of 632 guilders, expressed to be for sundries supplied for the brigantine Resistance, dated at Demerary, December 8, 1777;

*Ordered*, That the same be referred to the board of admiralty, to take order.

*Resolved*, That all the artificers in the department of military stores in Pennsylvania, be removed to Carlisle; and that in future only an issuing store and an elaboratory for fixing ammunition be kept in Philadelphia.

That gen. Washington detach a field officer of artillery to take the command and superintend the business at Carlisle, and under the orders of the board of war.

That the commissary-general of purchases be directed to form a sufficient magazine of provisions at Carlisle for the supply of the post.

That the board of treasury take immediate measures for furnishing such sums of money as shall be necessary for supplying the department of military stores, agreeably to an estimate approved by the board of war.

Congress took into consideration the report of the committee on the letter, of the 12th, from Jonathan Bryan, which is in the words following:

That the several matters stated in his letter appear to be true, and therefore from the particular situation of Mr. Bryan, and in consideration of the hardships he has suffered by a long captivity and removal far from his family and friends, at his advanced period of life; they recommend that Mr. Bryan be reimbursed 1400 dollars, advanced by him in March, 1778, for the use of the troops in Georgia, according to the value of the money at that time; that he also be paid, £.43: 10s. sterling, on account, being one half of the value of the two boats at the time they were furnished for the use of the army; and that it be referred to the board of treasury, to take order.

*Resolved*, That Congress agree to the said report.

*MONDAY, November 27, 1780.*

*Resolved*, That the board of admiralty be and hereby are authorized to enter into such contracts as they, in their discretion, shall think fit, for the purpose of dispatching the frigate Trumbull on a cruise, not to exceed six months, for the protection of trade and annoyance of the enemy, without loss of time.

Additional instructions to the captains and commanders of all ships of war and private armed vessels who shall have commissions or letters of marque and reprisal.

1st. You shall permit all neutral vessels freely to navigate on the high seas or coasts of America, except such as are employed in carrying contraband goods or soldiers to the enemies of these United States.

2d. You shall not seize or capture any effects belonging to the subjects of belligerant powers on board neutral vessels, except contraband goods.

3d. The term contraband shall be confined to those articles which are expressly declared to be such in the treaty of amity and commerce of February 6th, 1778, between these United States and his most Christian majesty, namely, arms, great guns, bombs with their fuses and other things belonging to them, cannon balls, gunpowder, match, pikes, swords, lances, spears, halberts, mortars, petards, grenades, faltpetre, muskets, musket-balls, bucklers, helmets, breast-plates, coats of mail, and the like kind of arms proper for arming soldiers, musket rests, belts, horses with their furniture, and all other warlike instruments whatever.

4th. That all commissions, bonds and instructions shall be conformable to the preceding regulations: And if any thing shall be done or willingly suffered to be done, contrary thereto, the offender shall not only forfeit his commission and be liable to an action for breach of the condition of the bond, but be responsible to the party grieved for damages sustained by such malversation.

5th. These instructions, the principles on which they are grounded, and the act of Congress of the 5th day of October last, shall serve as a rule of proceeding in the United States on the legality of prizes.

*TUESDAY, November 28, 1780.*

A letter, of this day, from Mr. Motte, member of the board of treasury was read, stating, that on examining the certificates, it appears, that of the 1400 dollars, reported in favour of Mr. Bryan, 800 were advanced by him on the 9th of March, 1777, and 600 on the 2d of March, 1778.

*Ordered*, That it be referred to the board of treasury, to take order.

*Ordered*, That the commander in chief, the commanding officer in the southern department, the inspector-general, the adjutant-general, and the commanding officer of each state's line, respectively, be supplied with the journals of Congress, for the use of the army.

Some doubts having arisen in the minds of the general officers, whether the resolution of the 21st of October last, granting half-pay

For life to the officers who shall remain in service to the end of the war, was meant to extend to them :

*Resolved*, That the said half-pay for life be extended to all major-generals and brigadier-generals, who shall continue in service to the end of the war :

That the resolution of the 21st of October was so meant and intended.

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*WEDNESDAY, November 29, 1780.*

Mr. Wolcott, a delegate for the state of Connecticut, attended and took his seat.

*Resolved*, That the act of Congress, of the 8th of January last, providing for the payment of officers horses killed in action, be extended to such officers entitled to keep them, who shall have their horses wounded and disabled in action ; provided the horses so wounded and disabled be delivered to the department of the quartermaster-general.

*Resolved*, That two commissioners be appointed to act, in conjunction with the treasurer, in examining, counting and burning the continental bills of credit paid in by the several loan-officers, to be destroyed under the direction of the board of treasury :

That the treasurer and commissioners aforesaid, take proper care to select all counterfeits, if any may happen to be among the bills so brought in to be destroyed.

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*THURSDAY, November 30, 1780.*

The committee to whom was referred a letter from the board of war, of November 27th, delivered in a report ; whereupon,

*Resolved*, That the sum of 4000 dollars, in specie, now in the hands of the treasurer, be applied to the use of the officers who are prisoners in Charles-Town, and transmitted for the supply of the said officers by the flag which is now ready to proceed to South-Carolina ; and that bills on our ministers in Europe, to the amount of the said sum, be by the board of war returned and deposited in the hands of the commissioner of the continental loan-office for the state of Pennsylvania.

*Ordered*, That the board of treasury immediately make sale of part of the aforesaid bills, so deposited by the board of war, to the amount of 100,000 dollars, to be put into the hands of the board of war, to forward the waggons with stores for the use of the southern army, and for payment of the artificers ordered to the southward.

*Resolved*, That there be a commissary-general of purchases, whose duty shall be to purchase provisions under the direction of Congress, the commander in chief or board of war : to call upon the principal state agents or commissioners for such supplies as their respective legislatures shall make provision for, and to keep up a regular correspondence with them, to the end that their prospects of furnishing such supplies may be fully known ; of which correspondence he shall keep a fair and correct register, as well as of every other official transaction : to direct the quantities and species of provisions to be stored in the magazines of the several states, under the orders of the com-

mander in chief, and cause the same to be forwarded to the army, as occasion may require; for which purpose he is hereby empowered to call on the quartermaster-general, and the deputy-quartermasters for the means of transportation: to make monthly returns to the commander in chief and board of war of all persons employed by him, specifying for what time and on what terms; and of all provisions received in each month, from whom, from what state, and the quantities delivered to the issuing commissaries, their names, and at what posts; also of all provisions remaining on hands, at what magazines and in whose care; the returns to be made up to the last day of each month, and forwarded as soon after as may be: to cause all his accounts with the United States to be closed annually, on the 1st day of January, and laid before the board of treasury for settlement, by the 1st day of March ensuing:

That there be a deputy-commissary of purchases for the southern army, appointed by the commissary-general, whose duty shall be the same with respect to that army, as that of the commissary-general with the main army: he shall make his returns to the commanding officer of the southern army, and to the commissary-general, to whom he shall be responsible.

The commissary-general and deputy-commissary shall each appoint one assistant-commissary, one superintendent of live stock, two clerks, and as many butchers, coopers, drovers and labourers, as may be necessary for conducting the business of the department, and shall have power to fix the pay of the butchers, coopers, drovers and labourers, subject to the control of the board of war:

That the pay of the several officers in the department be in the bills emitted in pursuance of the resolution of the 18th day of March last, as follows:

The commissary-general 177 dollars per month, 3 rations for himself and servants, and forage for 2 horses; deputy-commissary 125 dollars per month, 2 rations for himself and servant, and forage for 2 horses:

Assistant commissaries 75 dollars per month, 2 rations and forage for 1 horse.

Superintendent of live stock 50 dollars per month, 1 ration and forage for 1 horse.

Clerks 40 dollars per month and 1 ration.

*Resolved*, That no officer appointed under the foregoing regulations be entitled to draw pay unless he produce a certificate of his having taken the oaths prescribed by the resolution of February 3d, 1778:

*Resolved*, That Ephraim Blaine, Esq. be continued commissary-general of purchases.

That it be recommended to the several states immediately to inform the commissary-general and deputy-commissary of the names of their principal agents or commissioners, respectively, for supplying the army, and to oblige them to give information, from time to time, to the commissary-general, or the deputy-commissary with the southern army, as the case may be, of their prospects, and how far they shall be able to comply with their requisitions:

That the live stock to be furnished by the several states be delivered

to such store-keepers, within each state, at such times and in such quantities, as the commissary-general or deputy-commissary shall direct, under the regulations contained in the act of Congress of the 15th of July last, for the delivery of all other public property:

That the store-keepers appointed by the deputy-quartermasters be subject to the orders of the commissary-general, to whom they are to make monthly returns of all their receipts and deliveries, as far as respects his departments, and in such manner as he shall direct:

That all the resolutions of Congress heretofore made, respecting the department of the commissary-general of purchases, be and they are hereby repealed.

FRIDAY, December 1, 1780.

Mr. Houston, one of the delegates for the state of New-Jersey, laid before Congress the credentials of their appointment, which were read.

A report from the board of war was read; whereupon,

Ordered, That the accounts of Samuel Fletcher, late a clothing agent, employed by the board of war, by virtue of authority vested in them for the purpose by Congress, be referred to the board of treasury, who are hereby directed to take order for the settlement thereof, and to report to Congress what ought to be allowed as a reasonable compensation for his services:

Congress resumed the consideration of the report of the committee on the letter from A. Lee; whereupon,

Resolved, That Mr. Lee be informed, that Congress approve of his retaining the picture: that he be further informed, in answer to his letter, that there is no particular charge against him before Congress properly supported, and that he be assured his recal was not intended to fix any kind of censure on his character or conduct abroad:

That the same allowance be made to his secretary as was made to Mr. Stockton, who acted in that capacity to the honourable William Lee; and that the other articles stated in his accounts, with the vouchers produced, be referred to the board of treasury for liquidation.

MONDAY, December 4, 1780.

A letter, of November 28th, from gen. Washington was read, inclosing a copy of a letter of the 25th of the same month, from major Tallmadge, giving an account of his surprizing and taking fort St. George, on Long-Island, and the garrison.

Resolved, That no officer of the line of the army of the United States, without express authority from Congress for that purpose, make any contract or bargain, or give any orders, for the purchase of articles for the use of the troops in the departments of the clothier-general, quartermaster-general or commissary-general of purchases, except in cases of necessity for provisions and forage for detachments or parties in places where the same cannot be drawn from the public stores or magazines.

Resolved, That, instead of the additional pay allowed to officers in the inspector's department, by the resolution of Congress of the 25th of September last, the following sums be allowed, viz.

To the adjutant-general, as assistant inspector, 35 dollars per month:

To an assistant inspector in a separate army, 30 dollars per month.

To a lieutenant-colonel, as inspector of a division, 25 dollars per month:

To a major, as inspector of a brigade, 25 dollars per month.

*Resolved*, That the corps of marachaussee be continued upon their former establishment.

*Resolved*, That Mr. Siimeon de Witt be appointed geographer to the army, in the room of Robert Erskine, deceased.

*Ordered*, That for the future there be only three superintendants of the pres, and that Isaac Howell, Peter Thomson and Nathaniel Falconer be continued in office to discharge that busness:

That the commissioners to be appointed, for examining, counting and burning the continental bills of credit, as mentioned in the resolution of Congress of the 29th of November last, be allowed at the rate of 2-19ths of a dollar, continental currency, per 100 dollars, or the equivalent thereof in the new bills, or other current money, to be equally divided between them:

That John Biddle and Isaac Gray be appointed commissioners for examining, counting and burning the continental bills of credit, agreeable to the resolution of November 29th, and that they take an oath or affirmation of office, previous to their entering on the discharge of their duty.

*Resolved*, That the salaries of the officers on the civil list, as fixed by the resolution of the 13th and 25th of September last, have retrospect to September 1st, 1777, any thing in the resolution of November 15th, which gives them a retrospect only to November 2d, 1778, notwithstanding.

On motion of the delegates for Pennsylvania,

*Resolved*, That Thomas Smith and Richard Bache be appointed commissioners on the part of the United States, either of them to endorse the bills that shall be emitted by the state of Pennsylvania, pursuant to the resolution of Congress of the 18th of March last.

— ♦ —  
TUESDAY, December 5, 1780.

A letter, of the 4th, from David Jackson, hospital surgeon, was read, requesting leave to resign:

*Ordered*, That leave be granted.

A letter, of the 4th, from William Winder, one of the navy board of the middle department, was read, stating that he understands a reform of the said board has been in contemplation, and requesting leave to retire, his pay in the mean time ceasing, until Congress shall have an opportunity of fixing the new establishment.

*Ordered*, That he have leave to retire, till farther orders from Congress.

— ♦ —  
WEDNESDAY, December 6, 1780.

Mr. Atlee, a delegate for the state of Pennsylvania, attended and took his seat in Congress.

The committee to whom was referred the letter of November 28th, from gen. Washington, brought in a report, whereupon Congress came to the following resolution:

While Congress are sensible of the patriotism, courage and perseverance of the officers and privates of their regular forces, as well as of the militia throughout these United States, and of the military conduct of the principal commanders in both; it gives them pleasure to be so frequently called upon to confer marks of distinction and applause for enterprizes which do honour to the profession of arms, and claim a high rank among military achievements: in this light they view the enterprize against fort St. George on Long-Island, planned and conducted with wisdom and great gallantry, by major Tallmadge, of the light dragoons, and executed with intrepidity and complete success by the officers and soldiers of his detachment.

*Ordered*, therefore, That major Tallmadge's report to the commander in chief be published, with the preceding minute, as a tribute to distinguished merit, and in testimony of the sense Congress entertain of this brilliant service...

*Resolved*, That such of the convention troops as are not already removed from the barracks near Charlottesville, in the state of Virginia, remain at that post until the farther order of Congress.

FRIDAY, December 8, 1780.

Mr. J. Montgomery, a delegate for the state of Pennsylvania, attended and took his seat in Congress.

SATURDAY, December 9, 1780.

Mr. Witherspoon, a delegate for New-Jersey, attended and took his seat.

*Ordered*, That the purveyor and apothecary be directed to issue medicines and refreshments necessary for the transient sick which may be from time to time under the care of doctor Maus, as is done in the general hospital, he making returns of such sick in the manner directed in the hospital regulations to the director, and signing receipts for such stores as are issued to him.

*Ordered*, That doctor Maus report to the commanding officer at the barracks such officers as are appointed to act under him as surgeons to the transient sick, in case of misdemeanor, in order that they be tried for misconduct or neglect of duty by a garrison court-martial.

Congress took into consideration the report on Mr. Palfrey's letters, and agreed to a draught of a commission and instructions to W. Palfrey, as consul of the United States in France.

*Resolved*, That Joseph Clark and Jonathan Arnold be appointed commissioners on the part of the United States, either of them to endorse the bills that shall be emitted by the state of Rhode-Island, pursuant to the resolution of Congress of the 18th of March last.

MONDAY, December 11, 1780.

Mr. W. Burnett, a delegate for the state of New-Jersey, attended and took his seat in Congress.

TUESDAY, December 12, 1780.

*Resolved*, That the salary of the surveyor of the post-office be 586 $\frac{2}{3}$ .

dollars per annum, and 4 dollars per day for his travelling expenses while on journies: and that the faid yearly pay have retrospect to the 1st day of September, 1777:

That the depreciation of money, as settled on the 28th day of June last, be made good, on the pay of the post-riders, from the time the same was originally fixed, and that for the future their pay be double the sum they received before the present war:

That the rates on postage of letters be fixed at half the rates paid at the commencement of the present war;

That, for the future, the above allowance and rates be paid in specie, or money emitted in pursuance of the resolution of the 18th of March last, or other money equivalent:

That the post-riders to the eastward, during their necessary stay at Fish Kill, have their horses kept in the public stables and that a reasonable deduction be made from their pay for the forage they shall be supplied with.

*Ordered*, That the post-master-general lay before the board of treasury, as soon as may be, a state of the accounts and sums due to the post-riders:

That the post-master-general order the post-riders to travel through Connecticut, at a distance from the sea shore, in such manner as may render them secure from attempts of a like nature with that which lately happened at Stratford, in that state.

*Ordered*, That bills of exchange, not subject to the order of the board of war, drawn on Doctor Franklin, agreeably to a resolution of the 23d day of August last, be deposited in the hands of Thomas Smith, commissioner of the continental loan-office for the state of Pennsylvania, for sale, under the directions of the board of treasury.

Congress took into consideration the report of the committee on the letter of June 26th, from the honourable J. Adams; whereupon,

*Ordered*, That the faid letter be referred to the committee of foreign affiirs, and that they be instructed to inform Mr. Adams of the satisfaction which Congress receive from his industrious attention to the interests and honour of these United States abroad, especially in the transactions communicated to them by that letter.

*Resolved*, That the commander in chief be directed, if he shall judge the post at Wyoming necessary, to relieve the garrison there as soon as may be, by troops from the continental army not belonging to the lines of Pennsylvania and Connecticut, or citizens of either of the said states; and that the present and future garrison continue to be supplied by the commissary-general from the magazines of the continent, by purchase, or out of the quota of provisions raised by any state for the use of the continent.

*Resolved*, That the state of Pennsylvania be informed of the steps Congress have taken to remove every subje&t of jealousy or discontent, and that they be requested to order the supplies which were stopped by lieutenant Hunter, on their progres&s to Wyoming, to be immediately forwarded to that garrison, to relieve its present urgent distresses.

WEDNESDAY, December 13, 1780.

A letter, of the 6th, from doctor Bloomfield and doctor Scott, two

hospital physicians, was read, enclosing their commissions, and desiring that their resignations be accepted.

*Ordered*, That their resignations be accepted.

THURSDAY, December 14, 1780.

*Ordered*, That capt. Job Sumner be informed, in answer to his in memorial, of the 17th of last month, that Congress, in their resolution of April 7th, 1779, meant to give him the rank of a captain in the army at large, from the 1st day of July, 1776, in confirmation of the appointment made by gen. Schuyler; but that no alteration was intended to be made in the line of the state to which he belonged, in which he should take his promotion, as if he had not left his regiment, and entered on board the armed vessels.

*Ordered*, That the resignation of John Lawrence, commissioner of the continental loan-office for the state of Connecticut, be accepted.

*Resolved*, That it be and hereby is recommended to the state of Connecticut, to appoint a commissioner to superintend the loan-office in that state, in the room of Mr. John Lawrence, resigned.

*Resolved*, That the board of treasury be and hereby are enabled to make a final settlement with William Palfrey, late paymaster-general, upon the principles of the report of this day, and upon such final settlement, to grant the said William Palfrey a quietus, under the seal of the board of treasury.

FRIDAY, December 15, 1780.

Mr. Burke, a delegate for the state of North-Carolina, attended and took his seat.

*Ordered*, That the board of treasury, in adjusting the salary of Arthur Lee, Esq. compute the same from the 15th day of December, 1776, to the 25th day of March, 1780.

A report from the board of war was read; whereupon,

*Resolved*, That Monsieur Inacice Penet have the rank of cornet, in the partizan corps commanded by col. Armand, in the army of the United States.

TUESDAY, December 19, 1780.

Mr. James M. Varnum, a delegate for the state of Rhode-Island and Providence Plantations, attended and produced his credentials.

Mr. H. Wynkoop, a delegate for the state of Pennsylvania, attended and took his seat in Congress.

Mr. Bland laid before Congress a letter from the governor of Virginia, dated November 17th, 1780.

On motion of Mr. Madison, seconded by Mr. Bland;

*Ordered*, That so much of the said letter as respects the receiving into the continental treasury, specie, at the rate of 75 continental dollars for 1 of specie, be referred to the board of treasury, and that they be directed to have the transaction stated in their books, and in the books of the treasurer, in such manner that the state of Virginia may not be included in it.

*WEDNESDAY, December 26, 1780.*

On motion of Mr. Bee, seconded by Mr. Mathews,

*Ordered,* That the treasurer pay to the board of war the balance of silver and gold in his hands, and that in the settlement of his accounts, he have credit in continental currency, according to the rate of exchange at which he received the said silver and gold.

*THURSDAY, December 21, 1780.*

A letter, of this day, from J. Laurens, was read;

*Resolved,* That a committee of three be appointed to take into consideration the case of the honourable Henry Laurens, made a prisoner on his passage to Europe, and said to be committed to the tower of London, on suspicion of high treason, and to report thereon:

The members, Mr. Duane, Mr. Witherspoo, Mr. Burke.

*Ordered,* That the president write to our ministers plenipotentiary at the courts of Versailles and Madrid, desiring them to apply to the courts at which they respectively reside, to use means for obtaining the release and exchange of the honourable Henry Laurens.

The committee on certain bills of exchange, drawn on the president of Congress, by a person subscribing himself baron de Wulffen, brought in a report; whereupon,

*Resolved,* That two bills of exchange, the one dated the 3d of August last, for 794 guilders and 10 stivers, and the other the 9th of the same month, for 100 guilders, bank money; and signed baron de Wulffen, both drawn on the president and members of Congress, in favour of Messieurs John de Neufville and son, of Amsterdam, and expressed to be for value received from them for the drawer's expenses, and for his embarking, and rendered to the president, be protested; but that, in consideration of Messieurs de Neufville and son having accepted of several of the bills of exchange drawn by Congress on the honourable Henry Laurens, Esq. in his absence, and for the honour of Congress, the board of treasury be and hereby are directed to take up the said bills (paying the amount thereof to the present holders) for the honour of Messieurs de Neufville and son, who have endorsed them, and charge the same to their account in the treasury books, and that they inform those gentlemen of this transaction.

*FRIDAY, December 22, 1780.*

A letter, of the 15th, from gen. Washington, was read; whereupon,

*Resolved,* That the paragraph of the letter from the commander in chief, of the 15th instant, which points out the pressing necessity of effectual measures for recruiting the army to its full complement, be immediately communicated to the respective legislatures or executives; and they are earnestly required, by the most decided and vigorous exertions, not only to urge forward the levying their respective quotas of troops, without loss of time, but to furnish the supplies of provisions and money assigned for their support, with such punctuality as will put the commander in chief in a condition, with the co-operation of our ally, under the divine blessing, to compel the

enemy to relinquish their object of subjugating these states, and to secure to us an honourable and permanent peace: and Congress once more remind the states, that the public safety essentially depends on their complying, without reserve or delay, with the measures adopted for an active and decisive campaign.

—  
SATURDAY, December 23, 1780.

*Ordered*, That the continental boats at or upon the river Susquehannah, in the state of Pennsylvania, be exposed to sale, for cash or commissaries or quartermaster's certificates, as may be most for public advantage.

—  
TUESDAY, December 26, 1780.

*Ordered*, That the president write to the executive of the state of Massachusetts-Bay, requesting their assistance in manning and fitting the Alliance for sea, without loss of time.

A letter, of the 7th, from John Warren, was read, signifying his acceptance of the office of hospital physician.

A letter, of November 25th, from John Welles and Edward Chin, was read, signifying their acceptance of the office of commissioners of an extra chamber of accounts.

—  
WEDNESDAY, December 27, 1780.

*Resolved*, That Thomas Smith, commissioner of the continental loan-office for the state of Pennsylvania, be and hereby is authorised and directed to pay to the paymaster of the board of war and ordnance, all the specie he is possessed of, not exceeding 1687 dollars and 30-90ths of a dollar, arising from the sale of bills of exchange on the ministers of the United States in Europe, in order that the same may be transmitted by the flag now ready to sail to Charles-Town, for the use of the prisoners of war there.

The board of treasury report, that they have received a letter, of the 9th, from Edward Chin, one of the commissioners of accounts for the northern department, informing them of the death of John Welles, the other commissioner of the extra chamber of accounts, appointed by Congress the 13th of October last, for that department; whereupon,

*Ordered*, That to-morrow be assigned for electing a commissioner of the extra chamber, in the room of Mr. Welles, deceased.

*Resolved*, That a commissioner of the board of war be appointed, to act during the absence of col. Pickering, and that to-morrow be assigned for the election.

*Ordered*, That bills of exchange, out of those already drawn on doctor Franklin, to the amount of 80,000 livres tournois, be put into the hands of the board of war, for the purpose of purchasing a quantity of woollen cloth and blankets for the army.

—  
THURSDAY, December 28, 1780.

*Resolved*, That a commissioner be appointed for settling accounts in the southern army, and that to-morrow be assigned for electing the same.

*Resolved*, That Congress approve the appointment made by major gen. Greene, of lieut. col. Carrington to be deputy-quartermaster-general for the southern army.

*Ordered*, That col. Middleton's report of the action between gen. Sumpter and col. Tarlton, on the 20th of November last, and major gen. Smallwood's of December 6th, which were enclosed in major gen. Greene's letter, be referred to the committee of intelligence.

*Resolved*, That the board of admiralty take order for fitting out the Alliance frigate, for the purpose of conveying the honourable J. Laurens to some port in France.

—————  
*FRIDAY, December 29, 1780.*

Mr. S. Johnston, a delegate for North-Carolina, attended and took his seat.

Congress proceeded to the election of an auditor of accounts for the southern army, and the ballots being taken,

Mr. John S. Dart was elected, having been previously nominated by Mr. Bee.

Congress proceeded to the election of a commissioner of the extra chamber of accounts, in the room of Mr. Welles, deceased, and the ballots being taken,

Mr. Leonard Gansevoort was elected, having been previously nominated by Mr. Floyd.

Congress proceeded to the election of a commissioner of the board of war, to act during the absence of col. Pickering, and the ballots being taken,

Mr. Ezekiell Cornell was elected, having been previously nominated by Mr. Sullivan.

*Resolved*, That the commander in chief be and is hereby fully authorized and empowered to agree to an exchange of prisoners with the commander in chief of the British forces, in such manner as he shall think proper, always keeping in view the former resolutions of Congress respecting the exchange of the prisoners under the capitulation of Charles-Town and fort Moultrie :

That the adjustment of the accounts between the United States and the British are to be referred to commissioners to be settled, and that the exchange of prisoners be not delayed on that account.

*Resolved*, That a committee of three be appointed to collect and cause to be published, 200 correct copies of the declaration of independence, the articles of confederation and perpetual union, the alliance between these United States and his most Christian majesty, with the constitutions or forms of government of the several states, to be bound together in boards.

The members, Mr. Bee, Mr. Witherspoon and Mr. Wolcott.

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